

BULLETIN OF
THE JOHN RYLANDS
LIBRARY
MANCHESTER
Edited by the Librarian

VOL. 39

SEPTEMBER, 1956

No. 1

NOTES AND NEWS

IN JANUARY and November of last year the Earl of Crawford and Balcarres made extensive and important additions to his Scottish family muniments deposited in this Library. As indicated in the BULLETINS for September 1955 (Vol. 38, No. 1, pp. 2-3) and March 1956 (Vol. 38, No. 2, pp. 273-4) these comprise letters, papers, deeds and manuscript volumes dating mainly from the sixteenth, seventeenth and eighteenth centuries. A further accession has now been received from Lord Crawford supplementing not only the Scottish but also the Haigh muniments of the family, which relate to the Lancashire properties and estates. The Haigh Muniments already contain much of value for the student of economic history, as Mr. Alan Birch was able to show in his study of "The Haigh Ironworks, 1789-1856: A Nobleman's Enterprise During the Industrial Revolution" (BULLETIN, Vol. 35, pp. 316-33). Among the latest accessions are additional materials of this nature. For example, records dealing with coal mining in the eighteenth and nineteenth centuries, accounts respecting cannel work at the Kirklees (Wigan) pits between 1749 and 1765, and particulars of colliers' wages in 1788. Perhaps the most important items in this group, however, are two large folio volumes containing annotated texts of letters written by Alexander, Earl of Balcarres, to his brother (and partner in his industrial enterprise) Robert Lindsay between 1807 and 1824, which provide a wealth of information about the management and other aspects of the coal and cannel mines and the iron works on the Haigh estate; these volumes run to some 850 pages. Also in the collection is a Haigh rental

CRAWFORD
MUNIMENTS:
ADDITIONAL
DEPOSIT

for 1826 to 1843 and Cash and Stock Account Books for the late twenties and early thirties of the same century. The more personal records include two seventeenth-century diaries of members of the Bradshaigh family, which held the Haigh estates for many centuries before, in the second half of the eighteenth century, they passed to the Lindsays. One deals with a journey through France and Italy made about 1634, the other is the diary of Sir Roger Bradshaigh, 2nd Bart., for 1681 to 1682.

The additions to the Scottish muniments are, as regards manuscript volumes, mainly of the seventeenth and eighteenth centuries; the deeds date from the fifteenth century to the nineteenth. Individual volumes of note include one, extending to over 200 folios, containing "Actes of the Commissioners for the Government of the Borders" between 1605 and 1606, a source of undoubted value, and a fine copy (c. 1600) of the famous "History and Chronicles of Scotland" of Robert Lindsay of Pitscottie, a cadet of the main family. Attention has been drawn in the BULLETINS mentioned above to the supplementary materials already received respecting Colin, 3rd Earl of Balcarres (d. 1722); to these have now been added further copies of his *Memoirs touching the Revolution*. An eighteenth-century text of *The Character of a Trimmer*, which belonged to Patrick, 2nd Viscount Garnock, has the additional interest of containing at the end a catalogue of his books, compiled in April 1727. The student of military history should find of particular value two well-filled notebooks of the distinguished soldier John, 20th Earl of Crawford (d. 1749), dealing with the Flanders campaign, in which he served as Lieutenant-General under the Duke of Cumberland. Another Journal of note is that of Lady Anne Barnard, daughter of James, 5th Earl of Balcarres, who accompanied her husband when he went to the Cape of Good Hope as Secretary to the Governor, Lord Macartney; this full and detailed account of the outward voyage and their residence at the Cape is addressed to her sisters in England. A rather unusual item is a lengthy letter-book (790 pages) of an English business man, A. Forty, residing on the continent. The letters, written between 1683 and 1688, were sent to his family and other

correspondents and deal with business as well as personal affairs, a number of financial accounts being interspersed. Finally, reference should be made to a translation in his own hand, and containing numerous holograph alterations and emendations, of the last nine books of the Iliad by the poet William Cowper. The deeds which accompanied the collection number three hundred and sixty and, as mentioned above, range in date from the late Middle Ages to the reign of Victoria ; they concern Balcarres and adjacent estates.

A most important addition has also been made to the resources of the Department of Printed Books by Lord Crawford, who has deposited seven boxes of broadsides, complementary to the important materials of the same nature which he placed here at the disposal of scholars in 1946. The boxes contain papal bulls, indulgences and related documents printed in the fifteenth and sixteenth centuries and *Decreta* issued under papal authority from 1793 to 1879. The splendid Borghese collection of papal documents, previously deposited by Lord Crawford, covers the period, 1550-1739.

CRAWFORD
PRINTED
BOOKS :
ADDITIONAL
DEPOSIT

Of the thirty-four documents printed in the fifteenth century thirty-two can be assigned with reasonable safety to particular presses. All but three are printed in Germany—eighteen German presses in twelve different towns are represented—and most of them are of great rarity. Two do not appear to be recorded in the catalogue of *Einblattdrucke* published by the Kommission für den Gesamtkatalog der Wiegendrucke. One, probably the work of Albrecht Kunne, at Memmingen, in 1486, is an indulgence issued for the benefit of the Monastery of St. Gall ; the other, for the benefit of the war against the Turks, was printed by Peter Schoeffer, at Mainz, in 1488. The only *Einblattdrucke* references to four other broadsides, Nos. 27, 778, 1005 and 1337, printed respectively by the Printer of the *Rochuslegende*, Nuremberg, 1482; Nicolaus Bechtermuenze, Eltvil, 1480; Albrecht Kunne ?, Memmingen ?, c. 1500; and Jodocus Pflanzmann, Augsburg, 1479, are to the Crawford copies when they were offered for sale by Rosenthal of Munich.

Other indulgences in this group were printed by Sensenschmidt, at Bamberg and Nuremberg, by Koelhoff and Zell at Cologne, by Kästlin, Pflanzmann and Bämler at Augsburg, by Reyser at Würzburg, by Landsberg at Leipzig, by Schöbser at Munich, by Drach at Speyer and by Greyff at Reutlingen, while from the press of F. Creussner come two editions of one indulgence, one xylographic, the other type-printed [*Einbl.* 22 and 23].

Of particular interest is a broadside *Missa pro animabus exulibus* [*Einbl.* 1005] assigned to Albrecht Kunne (Memmingen), which is probably unique. On the verso is off-set part of *Officium proprium missae B. Annae* [*Einbl.* 1049], of which the copy in the Munich Hofbibliothek is assigned to Johann Schoensperger (Augsburg). It is, of course, obvious that both these documents must have come from the same press, and on close examination it would appear that both the attributions are incorrect and that they are possibly the work of a Nuremberg printer as yet unidentified. Also of interest are two copies of the Bulla (Romanus Pontifex) of Pope Sixtus IV concerning the prolongation of an indulgence for the benefit of a church at Urach (SS. Mary, Andrew and Amandus). One copy is printed on one side of a large sheet and contains the *Summarium* of the Bull of Indulgence with the Bull of Sixtus IV below it, like the copy in the Stuttgart Landesbibliothek [*Einbl.* 1387, 1441]. The other copy has the same impression of the documents on the one side, but on the verso has a variant impression of the two documents, like the copy in the Stadtbibliothek at Landau [*Einbl.* 1388, 1442].

Only three documents are printed outside Germany. One, printed by George Lauer at Rome [*Einbl.* 1356], is another edition of the Bull of Sixtus IV for the benefit of the Church of SS. George and Mary in Nördlingen which was printed by Herman Kästlin at Augsburg [*Einbl.* 1355]. It is of interest to note that in the copy of Kästlin's edition in this collection the certificate of verification is signed by Judocus Pflanzmann, notary. A printer Jodocus Pflanzmann produced indulgences, included in the collection, in 1479 and 1480 [*Einbl.* 705, 1337]. The only item from the Netherlands is an indulgence on behalf of the Brotherhood of St. Francis and St. Antony of Padua at the Minorite Church in Paris, printed at Gouda, c. 1490, by an

anonymous printer, the Printer of the Indulgence of 1486 [*Einbl.* 439]. Of this two other copies are recorded.

There is one English item, a confirmation by Alexander VI of a Bull of Innocent VIII, 27 March 1486, regarding the marriage of Henry VII and Elizabeth of York [*Einbl.* 107b, *Duff* 228]. It has been suggested that the reason for this reprinting by Wynkyn de Worde in 1494 was the disaffection fomented by Perkin Warbeck. The document is incomplete at the foot, the only perfect copy recorded by S.T.C. [14097] being in Lambeth Palace. Two fragments of the lower half of the document are in St. John's College, Cambridge, and it would be interesting to know whether these are complementary to the Crawford copy. Regarding this indulgence Mrs. R. S. Mortimer writes "You may be interested to know that Ripon Cathedral Library has two copies of the full sheet, removed at some time, from a binding (*Yorks. Arch. Journal*, ii. 389 and 391-4). I understand from Mr. Neil Ker that copies of advertisements of the bulls of Innocent VIII and Alexander VI were found in two volumes at Magdalen College (Macray, *Register of Magdalen College, Oxford*, N.S., ii. 64 and iii. 126, 195) and that copies of the advertisement and of the bull itself are in books at Eton."

Among the sixteenth century indulgences are many items of interest, including four printed in this country. The earliest is a bull in English of Julius II confirming one of Alexander VI on behalf of the Confraternity of St. James of Compostella, printed by Wynkyn de Worde, probably c. 1510. This is imperfect at the foot but appears to be much more complete than the only other copy known, in the British Museum Library. There is also an indulgence of Leo X in English on behalf of the Franciscan Convent of Ipswich, probably printed in 1517 (S.T.C. 15475), of which the only recorded copy is in the British Museum and a Latin indulgence in favour of the church of St. Cross in Colchester, printed in 1523 (S.T.C. 5531), of which the only recorded copy is in Chichester Cathedral. There is an indulgence, promulgated by Laurence Campegius, Bishop of Salisbury, on behalf of the Hospital for the poor of the Blessed Trinity and St. Thomas in the parish of St. Martin in Salisbury. No other copy of this indulgence, which may have been printed

by Wynkyn de Worde, can be traced. It must have been printed between 1525 and 1534 since Campegius was appointed by papal bull in the earlier year and removed from his office as an absentee in 1534. A rare Spanish item is an indulgence for the benefit of the hospital of Santiago de Compostela, briefly described by Mr. D. E. Rhodes (*Library*, V. xi. 43) and by him ascribed to Diego de Gumiel, who printed it at Valladolid in 1505. Other indulgences of this period relate to churches or hospitals in France, Germany and Italy.

The documents of the later period, mainly *Decreta*, are for the most part from the pontificates of Pius VI (48), Pius VII (61), and Pius IX (28), but there are several issued under the authority of Popes Clement XII, Leo XII, Pius VIII, Gregory VIII (8), and Leo XIII.

This collection forms an interesting addition to Lord Crawford's earlier deposit and enhances materially its value to scholars. A selection of the documents from it, including all the indulgences printed in England and a number of the rarer items printed on the continent in the fifteenth century, recently formed part of the exhibition illustrating the *Bibliotheca Lindesiana* arranged by Lord Crawford at Balcarres in connection with the opening by Her Majesty the Queen of the new building of the National Library of Scotland.

Two years ago the Library acquired an important collection of Samaritan manuscripts formerly in the possession of the late Dr. Moses Gaster, who for many years was Hakham of the Jewish Sephardic community in this country. Recently his son, Mr. Vivian Gaster, has presented to the Library a parcel of "squeezes" of Samaritan inscriptions on stone. They are eleven in number, but two are complementary parts of the same inscription.

SAMARITAN
LAPIDARY
INSCRIPTIONS

The inscriptions are clearly incomplete in several cases. The reason for this is probably that only part of the text was visible and accessible. The "squeezes" show that several of the stones had suffered from exposure to the weather and their surfaces had been affected. In spite of this the text can be established in most instances. In only two, Nos. I and III, are

the letters so faint and so confused with their surroundings as to be, for the time being at least, indecipherable.

The texts consist mainly of quotations from the Pentateuch, the Samaritan Bible. Thus No. II has fragments of Exodus xx. 15-17 and Deuteronomy xxvii. 5 visible. No. IV has the Aaronic blessing, Numbers vi. 24-26. No. V has in part Deuteronomy xxviii. 12 and xxxiii. 29. No. VI has Exodus xx. 12-17. No. VII combines part of Exodus xiii. 5 and Deuteronomy xxvii. 4. No. VIII, composed of two "squeezes", has part of Genesis xl ix. 25. No. IX's text contains parts of Exodus xx. 8, 10, 11, and No. X, Exodus xx. 2, 3, 7 in abbreviated form.

There are some interesting features. No. VIII has Samaritan supra-linear vocalization in a few places to obviate confusion in reading. Its last line is strangely enough in Arabic *naskhī* complete with diacritical points. This Arabic text gives the date when the building, in which the stone occurs, was erected as the month of Jumādā of the year A.H. 1193 (A.D. 1779). No. VII also has a date. It gives the year 2800 from the resettlement of Israel in the land of Canaan (A.D. 1062?).

Samaritan lapidary inscriptions are rare and Dr. Bowman and Mr. S. Talmon of Leeds University have drawn attention to a few in their article "Samaritan Decalogue Inscriptions" in Vol. 33 (1951) of this BULLETIN. Unfortunately, there is no evidence of the location of the stones from which the "squeezes" were taken. The brown paper in which they were wrapped had on it "Herrn Heselschwerdt, Nabulus". Mr. Vivian Gaster is not without hope that more details concerning the "squeezes" may be obtained from papers of his father which await examination. It is most likely that the stones belong to Nablus (Gk. Neapolis), the ancient Shechem, or its immediate neighbourhood.

A special Exhibition of manuscripts and printed books has been arranged in the Main Library in commemoration of the Tercentenary of the Resettlement of the Jews in this country. The manuscripts include scrolls and codices both in Hebrew and other languages, the exhibits ranging in date from the second century

EXHIBITION
OF HEBREW
MANUSCRIPTS
AND BOOKS

B.C. to last century. Two fine Haggadoth are displayed : one executed in the early fourteenth century, probably in Spain, is outstanding for its illumination ; the other, in the opinion of Hirsch Edelmann, who examined it in 1852 when it was in the Bibliotheca Lindesiana, is the earliest Haggadah which has survived. Other examples of Hebrew illumination are included. A late medieval *Sefer Mizwoth* (*Book of Commandments*) contains seven full-page illuminations in gold and colours and has its borders decorated throughout with grotesques and drolleries. A manuscript of Nachmanides' *Commentary on the Pentateuch*, adorned with white vine-stem decoration in which are delicately drawn putti, birds and animals, was executed in Italy in the fifteenth century and is acknowledged to be a particularly fine example of Hebraeo-Italian art. A Scroll of Esther, illuminated along the top and bottom for its whole length (14½ feet), contains a colophon, uniform with the rest of the script, bearing the date "12 March 1511", which, if accepted, would make this the earliest dated scroll of its kind extant. In addition to the Nachmanides a number of other fifteenth century manuscripts are displayed : a Scroll of the Law and a Book of Psalms, both from Spain, Aaron ben Joseph's *Commentary on the Pentateuch* and a beautifully written *Hagiographa*, with a Persian glossary. The more modern codices include a rare volume of penitential poems of the B^{ne} Israel of Bombay (1829) and a manuscript of the Honan Jews of China. The final case contains Old Testament manuscripts in languages other than Hebrew : papyrus fragments of Deuteronomy (second century B.C., Greek) ; the earliest dated manuscript of the whole Samaritan Pentateuch outside Nablus (A.D. 1211) ; a Coptic version of Jeremiah (tenth century, Sa'idić) ; a *Bible Historiée* containing scenes from Genesis and Exodus (thirteenth century, North France) ; and Latin (thirteenth century) and Wycliffite (fifteenth century) Bibles.

Of the cases devoted to printed books one contains a selection of fifteenth-century Hebrew Biblical texts, including several first printings of parts of the Hebrew Bible and the second edition of the complete Hebrew Bible (Soncino, 1492), with its beautiful

woodcut border which, as Mr. Roth has shown was also used in Christian books (*Bodl. Library Record*, iv. 295 sqq.) Among famous Jewish printers of the fifteenth century represented are the Soncino family, the Montros, Abraham ben Chajim dei Tintori and Joseph Gunzenhausen. In the following case are shown the Hebrew text in the Polyglot Psalter (Genoa, 1516), and in the first of the great Polyglot Bibles, the "Complutensian," which was printed at Alcalá de Henares under the patronage of Cardinal Ximenes in 1514-17. Other famous Hebrew texts exhibited alongside them are a "Bomberg" Bible (Venice, 1521), the first attempt at a critical edition of the text (Halle, 1720), and the first edition of the popular Van der Hooght edition (1705). Another case contains examples of the fifteenth-century printers of Hebrew non-Biblical texts from Casalmaggiore, Mantua, Soncino and Ferrara, together with a copy of the Naples edition of Dante's *Divina Commedia*, 1477, believed to have been printed by a Jew. An article on this volume by Mr. Cecil Roth appears below (pp. 188-99). The remaining cases, devoted to the Hebrew Scriptures in translation, contain a number of the Library's most valuable monuments of early printing. In one case may be seen four of the finest productions of the printing press in the fifteenth century, the "Gutenberg", or 42-line, Bible printed before August 1456, the "Bamberg", or 36-line, Bible (1460?), the first dated Bible printed on vellum by Fust and Schoeffer in 1462, and the first Latin Bible printed in Italy, the Roman edition of Sweynheym and Pannartz, 1471. Also displayed are the first printed translations in many languages, including German (1466), Italian (1471), and Dutch (1477), the illustrated volume of selections in French, printed at Lyons in 1477 or earlier, and one of the two surviving copies of the illustrated *Buch der Vier Historier*, printed by Albrecht Pfister at Bamberg in 1462. Other interesting exhibits are the "Eliot" Bible (1662-3), a copy of which recently brought a high price at Sotheby's, the "Ferrara" Bible of 1553, a Spanish version prepared for Jews expelled from Spain and Portugal, a Bible in Manx of 1778, and a group of the dialect translations of *The Song of Solomon* issued under the direction of Prince Louis Lucien Bonaparte.

On 28 June H.R.H. Princess Margaret was installed as President of the University College of North Staffordshire. To mark the occasion a selection of records relating to Keele Hall and the Sneyd family was exhibited in the Library there. The selection was made from documents and correspondence from the Sneyd Muniments which Mr. Raymond Richards, recently appointed by the Crown a Governor of the University College of North Staffordshire, deposited in the Rylands Library in 1950. The records sent covered a wide range and were chosen to illustrate the history of the Hall, the family and the estates from the thirteenth century to recent times.

Among the earliest items were Court records and Account Rolls of Keele and Tunstall from 1326 to the mid-nineteenth century. The deeds included medieval grants relating to Staffordshire and other properties, a lease of part of a coal-mine in 1624 and an assignment of 1608 respecting Burslem mill. In 1886 the Rev. Walter Sneyd, well-known as a collector of books and manuscripts, presented to Walsall an "ancient" Burgess Book (Edward III-James I) of the Borough which had come into his possession. The Mayoral resolution of thanks for this gift was also among the documents sent as was the earliest surviving correspondence of the family (sixteenth-eighteenth century). Alterations were made to Keele Hall in the eighteenth century and extensive rebuilding was carried out in the mid-nineteenth. These were illustrated by weekly "Returns" of Thomas Lewis, Clerk of the Works, between 1856 and 1859, by estimates and designs, and by letters and papers of, among others, William Baker, the architect and surveyor who was much employed in Staffordshire and neighbouring counties in the middle of the eighteenth century, and Salvin, who was responsible for the rebuilding in the 1850s and 1860s.

The following is a list of the public lectures (fifty-fifth series) which have been arranged for delivery in the Lecture Hall of the Library during the current session 1956-7 at 3 p.m. in the afternoon :

17 October 1956. "Browning : The Last

EXHIBITION
OF KEELE
MUNIMENTS

THE FIFTY-
FIFTH SERIES
OF RYLANDS
PUBLIC
LECTURES

Lyrics." By H. B. Charlton, C.B.E., M.A., D.de D., Litt.D., Professor of English Language and Literature in the University of Manchester.

14 November 1956. "Martyrs and Martyrdom." By T. W. Manson, M.A., D.Litt., D.D., F.B.A., Rylands Professor of Biblical Criticism and Exegesis in the University of Manchester.

12 December 1956. "Counter-Revolution in Brittany and La Vendée, 1791-1793—the Royalist Conspiracy of the Marquis de la Rouerie." By A. Goodwin, M.A., Professor of Modern History in the University of Manchester.

16 January 1957. "The Poet Martial." By W. H. Semple, M.A., Ph.D., Hulme Professor of Latin in the University of Manchester.

13 February 1957. "The Teacher of Righteousness in the Dead Sea Scrolls." By Harold H. Rowley, M.A., D.D., Theol.D., F.B.A., Professor of Hebrew Language and Literature in the University of Manchester.

27 March 1957. "Everyday Life in a North Lancashire Country House, 1725-1732." By the Earl of Crawford and Balcarres, K.T., G.B.E., D.Litt., D.C.L., LL.D.

15 May 1957. "Four Elizabethan Architects." By John Summerson, C.B.E., F.B.A., A.R.I.B.A., Curator of Sir John Soane's Museum.

The following is a list of recent Library publications, consisting of reprints of articles which appeared in the last issue of the BULLETIN (March 1956):

RECENT
LIBRARY
PUBLICATIONS

"Manea Fen: An Experiment in Agrarian Communitarianism, 1838-1841." By W. H. G. Armytage, Professor of Education, University of Sheffield. 8vo, pp. 23. Price two shillings net.

"The Eve of Magna Carta." By C. R. Cheney, Professor of Medieval History in the University of Cambridge. 8vo, pp. 31. Price three shillings and sixpence net.

"Francis Lieber: Transmitter of European Ideas to America." By Frank Freidel, Professor of History, Harvard University. 8vo, pp. 18. Price two shillings and sixpence net.

"The Reverend Arthur Young, 1769-1827: Traveller in Russia and Farmer in the Crimea." By John G. Gazley, Professor of History at Dartmouth College, New Hampshire. 8vo, pp. 46. Price three shillings and sixpence net.

"Chilon and Aeschines: a Further Consideration of Rylands Greek Papyrus fr. 18." By D. M. Leahy, Lecturer in Greek and Latin in the University of Manchester. 8vo, pp. 30. Price three shillings net.

"The Lord's Prayer: II." By T. W. Manson, Rylands Professor of Biblical Criticism and Exegesis in the University of Manchester. 8vo, pp. 13. Price two shillings and sixpence net.

"Ibn Ishāq's use of the *Isnād*." By James Robson, Professor of Arabic in the University of Manchester. 8vo, pp. 17. Price two shillings and sixpence net.

"Contributions to the Study of Jewish Iconography." By Helen Rosenau, Lecturer in the History of Art in the University of Manchester. 8vo, pp. 17, with two plates. Price two shillings and sixpence net.

"The Place-Names of the Domesday Manuscripts." By P. H. Sawyer, Assistant in History in the University of Edinburgh. 8vo, pp. 24. Price three shillings net.

"The Manchester Chamber of Commerce and the Increasing Foreign Competition to Lancashire Cotton Textiles, 1873-1896." By Roland Smith. 8vo, pp. 28. Price three shillings net.

"Ralph Sneyd: Tory Country Gentleman." By David Spring, Assistant Professor of History, Johns Hopkins University, Baltimore. 8vo, pp. 21. Price three shillings net.

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Zagreb University Library.

In addition to these donations many learned societies and other bodies have continued to present copies of their periodical publications.

THE DIVINE COLLOQUY IN ISLAM¹

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It belongs not to any mortal that
God should speak to him, except
by revelation, or from behind
a veil. (Koran, xlvi. 50)

IT is a striking and curious fact that Mohammed never claimed to have received the Koran directly from God, and that "Tradition is unanimous on the point that it was Gabriel who was the agent of revelation".² Indeed, in Sura ii. 91 the matter is put clearly and unequivocally :³

Say : " Whosoever is an enemy to Gabriel—
he it was that brought it down upon thy heart
by the leave of God, confirming what was before it,
and for a guidance and good tidings to the believers."

The vital question, " Does God ever speak to man ? " is nevertheless answered in the Koran in two contexts. It was the unique privilege of the prophet Moses to have been addressed by Allah immediately :⁴

And unto Moses God spoke directly.

The reference earned for him the title Kalīm Allāh.⁵ That is all so far as the present world is concerned. As for the other world, there was of course the famous encounter that took place before creation :⁶

¹ A lecture delivered in the John Rylands Library on Wednesday, the 14th of March, 1956.

² R. Bell, *Introduction to the Qur'ān*, p. 31; cf. A. J. Wensinck in *Encyclopaedia of Islam*, iv. 1092, with references.

³ See also Koran xvi. 104, xxvi. 192, lxxxi. 19.

⁴ Koran iv. 162. For a discussion of the implication of *taklīman* in this passage see al-Ash'arī, *al-Ibāna*, p. 27.

⁵ See D. B. Macdonald, in *Encyclopaedia of Islam*, ii. 699, with references.

⁶ Koran, vii. 171.

And when thy Lord took from the Children of Adam,
from their loins, their seed, and made them testify
touching themselves, "Am I not your Lord?"
They said, "Yes, we testify."

There we have the entire human race—in embryo so to speak, or rather not yet even in embryo—partaking in a divine colloquy which would not be repeated for the great majority until the Last Day, and then indeed not for all of them.¹

Those that sell God's covenant, and their oaths,
for a little price, there shall be no share for them
in the world to come; God shall not speak to them
neither look on them on the Resurrection Day.

For the rest the Day of Uprising will be a time for testifying once again.²

"Company of jinn and mankind, did not Messengers
come to you from among you, relating to you My signs
and warning you of the encounter of this your day?"
They shall say, "We bear witness against ourselves".

The suggestion that Moses was *sui generis* in having conversed with God in this life cannot, however, be accepted without further discussion; and the occasion and nature of his reported conversation are clearly not without importance.³

And when Moses came to Our appointed time
and his Lord spoke with him, he said,
"Oh my Lord, show me, that I may behold Thee!"
Said He, "Thou shalt not see Me; but behold
the mountain—if it stays fast in its place,
then thou shalt see Me."
And when his Lord revealed Him to the mountain
He made it crumble into dust; and Moses
fell down swooning.
So when he awoke, he said, "Glory be
to Thee! I repent to Thee; I am the first
of the believers."
Said He, "Moses, I have chosen thee
above all men for my Messages and
My Utterance; take what I have given thee,
and be of the thankful."

¹ Koran iii. 71; cf. ii. 169.

² Koran vi. 130.

³ Koran vii. 138-41; cf. xix. 53.

It was of course on the right-hand slope of Mount Sinai that Moses heard God speak.¹ As for the mountain which crumbled into dust, that was called Zubair;² God chose this peak for the miracle of His theophany because it humbled itself on knowing of the Divine intention. Anas ibn Mālik quoted the Prophet as saying that after its disintegration the mountain was split into six, three standing at Medina and three at Mecca.³

It is therefore not surprising that when Mohammed, according to certain traditions, emulated Moses in talking with God he should also have needed to climb high in order to hear the Divine voice. For him the occasion was the marvellous night-journey briefly mentioned in Koran xvii. 1 :

Glory be to Him, who carried His servant by night
from the Holy Mosque to the Further Mosque
the precincts of which We have blessed,
that We might show him some of Our signs.

The story of the Ascension of Mohammed, mounted on the winged horse Burāq and accompanied by Gabriel, is the most famous of all Moslem legends ;⁴ for our present purpose the phase of that adventure to be particularly noticed is what took place when the Prophet reached the seventh heaven. Anas ibn Mālik is again the transmitter.⁵ There Mohammed met Moses, who inhabited those high regions because of his distinction as having conversed with God ;⁶ the Hebrew lawgiver expressed surprise that anyone should be elevated higher than himself ; for Gabriel proceeded to mount further with Mohammed—and God alone knows how much further—until he reached the Lote-Tree of the Boundary. To appreciate what happened then we must refer to Koran liii. 4-17 :

¹ Koran xix. 53, xxviii. 44, 46.

² Yāqūt, *Mu'jam al-buldān* (Cairo, 1324/1906), iv. 377.

³ See al-Thā'labī, *Qīṣāṣ al-anbiyā'* (Cairo, 1340/1922), p. 140.

⁴ For the literature of the subject see J. Horowitz in *Encyclopaedia of Islam*, iii. 505-8.

⁵ So in al-Ṭabarī, *Tafsīr*, xv. 4.

⁶ Ibid. In some accounts Moses is in the sixth heaven and Abraham in the seventh, see J. Horowitz, loc. cit.

This is naught but a revelation revealed,
taught him by one terrible in power,
 very strong ; he stood poised,
 being on the higher horizon,
then drew near and suspended hung,
 two bows'-length away, or nearer,
then revealed to his servant that he revealed.
 His heart lies not of what he saw ;
what, will you dispute with him what he sees ?
 Indeed, he saw him another time
 by the Lote-Tree of the Boundary
nigh which is the Garden of the Refuge,
when there covered the Lote-Tree that which covered ;
 his eye swerved not, nor swept astray.
Indeed, he saw one of the greatest signs of his Lord.

The usual interpretation of this mysterious passage is that it describes two visions which Mohammed had of Gabriel.¹ Some authorities, however, such as Ibn 'Abbās and Anas ibn Mālik, declared that it was God Himself who "drew near and suspended hung".² Then it was that God—not, as in the other version, Gabriel—"revealed to His servant that He revealed". Among the matters revealed was that the Moslem community should perform the ritual prayer fifty times every twenty-four hours—an imposition which was progressively reduced to five on Mohammed's intercession, prompted by Moses.³ It was 'Ā'isha who protested against the suggestion that Mohammed had actually seen or spoken to God, calling it "the greatest lie ever forged against God".⁴ Others explained the whole incident as a dream.⁵

The question whether God can be seen in this world, or for that matter in the next, interested many Moslem scholars, not least the Sufis; I cannot forbear to refer to the excellent discussion of this topic that occurs in the *Kitāb al-Ta'arruf* of al-Kalābādhī.⁶ Vision and audition were felt to be closely-

¹ See for instance R. Blachère, *Le Coran*, pp. 5, 83-4.

² See al-Tabarī, *Tafsīr*, xxvii. 26.

³ See al-Bukhārī, "Salāt", ch. I; al-Tabarī, *Tafsīr*, xv. 4-5.

⁴ See al-Tabarī, *Tafsīr*, xxvii. 30; authorities cited in J. W. Sweetman, *Islam and Christian Theology*, ii. 221.

⁵ Especially the Hanbalites; see J. Horowitz, loc. cit.

⁶ See my edition, pp. 20-2.

linked phenomena, in view of what had happened to Moses and Mohammed, and therefore the problem of vision is not irrelevant to our present topic. "They are agreed", wrote al-Kalābādhī about the middle of the tenth century, meaning the Sufis, "that God will be seen with the eyes in the next world, and that the believers will see Him but not the unbelievers". This was the Sunni (Ash'ari) position; ¹ the Mu'tazilites had denied that God could be seen by ordinary vision, even in Paradise.² However, "they are agreed that God is not seen in this world either with the eyes or with the heart, save from the point of view of faith; for this (vision) is the limit of grace and the noblest of blessings, and therefore cannot occur save in the noblest place. If they had been vouchsafed in this world the noblest of blessings, there would have been no difference between this world which passes away, and Paradise which is eternal; and as God prevented His conversant (Moses) from attaining this in the present world, it is more proper that those who are beneath him should be likewise (prevented)". Then did Mohammed see God? "They are at variance", our Sufi theorist concedes, "as to whether the Prophet saw God on the night of the heavenly journey. The majority of them, including the most important Sufis, declare that Mohammed did not see Him with his eyes, nor any other created being, in this world. . . . This view is taken, among others, by al-Junaid, al-Nūrī and Abū Sa'id al-Kharrāz. Certain of them, however, assert that the Prophet saw God on the night of the heavenly journey, and that he was specially designated from among men for (the grace of) vision, just as Moses was designated for (the grace of) speaking (with God). To this end they cite the story told by Ibn 'Abbās, Asmā' and Anas; ³ and this view is supported by Abū 'Abd Allāh al-Qurashī, al-Haikal,⁴ and certain of the later Sufis. . . . We have not, however, known of a single shaikh of this order—that is, not one who is

¹ A. S. Tritton, *Muslim Theology*, p. 173.

² See al-Ash'arī, *Maqālāt al-Islāmīyin*, i. 150; L. Gardet-M. M. Anawati, *Introduction à la théologie musulmane*, p. 173.

³ As reported in al-Ṭabarī, *Tafsīr*, xv. 4.

⁴ So this name is spelt by al-Kalābādhī; al-Sarrāj, *Kitāb al-Luma'*, pp. 255, 256 calls him al-Haikali.

recognized as a valid authority—and we have not seen it stated in their books, compositions or treatises, or in the genuine stories that are related of them, neither have we heard it stated by any of those whom we have contacted, that God is seen in this world, or that any of His creation has seen Him ; with the exception, that is, of a sect who have not been recognized as being of any importance among the Sufis. It is true that certain people have asserted that some of the Sufis have claimed vision ; but all the shaikhs are agreed on convicting of error such as make this statement, and on refuting their claim, and they have written books to this end, among them being Abū Sa'īd al-Kharrāz ; al-Junaid has also written and discoursed much refuting and convicting of error those who make such a claim."

According to Abū Naṣr al-Sarrāj, the heresy mentioned here was prevalent among certain Sufis in Syria, and it was for the people of Damascus that al-Kharrāz composed his refutation.¹ Followers of al-Şubaiḥī at Basra also suffered from the same delusion, due in their case to excessive austerity ; and a pupil of Sahl ibn 'Abd Allāh al-Tustarī went so far as to say that he " saw God every night with the eyes of his head ". The shrewd teacher advised him to spit next time he had such an experience, which he recognized as a trick of the Devil ; and at once " the Throne flew away, the lights darkened, and the man was delivered from that and never saw anything thereafter ".² It was al-Sarrāj's view, like that of al-Kalābādhī, that Mohammed's vision was of the heart and not of the eyes.³ Hujwīrī, who quotes al-Bistāmī as saying in his old age that he had seen God for four years, offers an ingenious explanation of the discrepancy between the reports of 'Ā'iša and Ibn 'Abbās touching the heavenly journey. " The Apostle told 'Ā'iša that he did not see God on the night of the Ascension, but Ibn 'Abbās relates that the Apostle told him that he saw God on that occasion. Accordingly, this remains a matter of controversy ; but in saying that he did not see God the Apostle was referring to his bodily eye, whereas in saying the contrary he was referring to his spiritual eye. Since 'Ā'iša was a formalist and Ibn 'Abbās a spiritualist, the

¹ *Kitāb al-Luma'*, p. 428.

² Ibid.

³ Ibid. p. 429.

Apostle spoke with each of them according to their insight.”¹ In short, Hujwīrī also held that the Prophet’s vision was with the eyes of the heart. “ Some Sufis have fallen into the mistake of supposing that spiritual vision and contemplation represent such an idea of God as is formed in the mind by the imagination either from memory or reflection. This is utter anthropomorphism and manifest error.” However, “ contemplation in this world resembles vision of God in the next world, and since the Companions of the Apostle are unanimously agreed that vision is possible hereafter, contemplation is possible here ”.²

There we must regretfully leave this fascinating subject, if time is to remain for an adequate treatment of our selected theme. God may not be seen with the physical eyes in this world ; that is the orthodox Moslem doctrine.³ Then may God be heard, and is it possible for mortal man to converse with Him? This problem appears not to have attracted nearly so much notice. It is necessary to divide the answer to our question into three parts. First, may man speak to God ? Secondly, if man does speak to God, will God hear and answer ? Thirdly, may man converse with God ? The first and second queries are dealt with readily enough ; this phenomenon is what is called prayer—not so much ritual prayer (*salāt*), but private petition (*du‘ā*).

And when My servants question thee
concerning Me—I am near to answer
the call of the caller, when he calls
to Me ; so let them respond to Me,
and let them believe in Me ; haply so
they will go aright.

Such is the plain statement of Koran ii. 181. Guidance for the form of such petitioning is supplied by Koran vii. 53 :

Call on your Lord, humbly and secretly.

Consequently the Sufi manuals abound in examples of prayers addressed to God by famous mystics ; and of course the Prophet’s

¹ Hujwīrī, *Kashf al-mahjūb* (tr. R. A. Nicholson), p. 331.

² Ibid. p. 332.

³ Nevertheless Ibn al-Fārid returns to the view that Mohammed saw God ; see R. A. Nicholson, *Studies in Islamic Mysticism*, p. 229.

prayers were religiously preserved.¹ Another word used to denote private litany is *munājāt*; this seems to derive from the epithet *najī* applied in Koran xix. 53 to Moses. We learn that al-Junaid composed a *Kitāb al-Munājāt*, though it has not survived;² and the intimate supplications of al-Ḥallāj were famous.³ The *Munājāt* of Anṣārī is one of the most popular Sufi works in Persian;⁴ al-Suhrawardī al-Maqṭūl is credited with a book by that name.⁵ The composing of rhetorical litanies became a literary convention, an outstanding example being the relevant parts of al-Tauḥīdī's *al-Ishārāt al-ilāhiyyā*.⁶ The first Sura of the Koran is in effect a primitive model for all like petitions. There is, however, no suggestion that in this kind of communion God actually replies to the suppliant in words; the speech is all on one side.

The terms *muḥādatha* and *musāmara* were used to "denote two states of the perfect Sufi. *Muḥādatha* is really spiritual talk conjoined with silence of the tongue, and *musāmara* is really continuance of unrestraint combined with concealment of the most secret thoughts. The outward meaning of *musāmara* is a spiritual state existing between God and Man at night, and *muḥādatha* is a similar state, existing by day, in which there is exoteric and esoteric conversation. Hence secret prayers (*munājāt*) by night are called *musāmara*, while invocations made by day are called *muḥādatha*". That is Hujwīrī's definition; he adds that "in love *musāmara* is more perfect than *muḥādatha*, and is connected with the state of the Apostle, when God sent Gabriel to him with Burāq and conveyed him by night from Mecca to a space of two bow-lengths from His presence. The Apostle conversed secretly with God, and when he reached the goal his tongue became dumb before the revelation of God's majesty, and his heart was amazed at His infinite greatness, and he said: 'I cannot tell Thy praise.' *Muḥādatha* is connected

¹ Cf. al-Sarrāj, op. cit. pp. 257-63; al-Qushairī, *Risāla* (Cairo, 1330/1912), pp. 119-22.

² See al-Sarrāj, p. 259.

³ See Hujwīrī, op. cit. p. 344.

⁴ For an English translation see *Islamic Culture*, 1936, pp. 369-89.

⁵ See C. Brockelmann, *Geschichte der arabischen Litteratur*, i. 438.

⁶ Edited by 'Abd al-Rahmān Badawī (Cairo, 1950).

with the state of Moses, who, seeking communion with God, after forty days came to Mount Sinai and heard the speech of God and asked for vision of Him, and failed of his desire. . . . Night is the time when lovers are alone with each other, and day is the time when servants wait upon their masters.”¹ Al-Sarrāj agrees that *muḥādatha* is “a description of the final goal of true devotees” and quotes a remarkable saying of Sahl ibn ‘Abd Allāh al-Tustarī: “God created the creatures in order that He might converse secretly with them, and they with Him. God Most High said, ‘I created you in order that you might converse secretly with Me. If you do not do so, then speak to Me and address Me; if you do not do so, then commune with Me; if you do not do so, then listen to Me.’”² He understands *musāmara* to imply ‘the heart’s reproach in secret commemoration’, a phrase that hints at the erotic connotation of this term.³

A moving description of the scene in which *musāmara* takes place between the mystic and God is provided by Abū Sa‘id al-Kharrāz. “These two are the qualities of the intimate: that he is disgusted with people and mankind, and finds delight in solitude and loneliness. Being in a darkened house, he abhors a light when he sees one; he closes his door, and draws his curtain, and is alone with his heart. He grows familiar with his Lord’s nearness, and becomes intimate with Him, taking delight in secret converse (*munājāt*) with Him. . . . When night covers him, and all eyes are sleeping, when every movement is stilled, and the senses of all things are quiet, then he is alone with his sorrow, and long he moans, demanding the fulfilment of what his Expectation promised him, and the benefits and lovingkindnesses whereby He has aforetime sustained him. Then he obtains some part of his request, and a portion of his wants is satisfied.”⁴ The nightly vigil is a familiar theme in Moslem mystical literature; no doubt the prototype was provided by those Christian monks whose lamps shining through the desert darkness constituted well-known landmarks for nocturnal travellers even in pre-Islamic times.⁵ We have many

¹ Hujwīrī, pp. 380-1. ² *Kitāb al-Luma'*, p. 349. ³ Ibid. p. 350.

⁴ See al-Kharrāz, *The Book of Truthfulness* (tr. A. J. Arberry), p. 48.

⁵ See R. A. Nicholson, *Literary History of the Arabs*, p. 140.

examples in prose and verse of the sort of thing the ardent lover of God said on such occasions ; how the Divine Beloved replied to those human overtures is unfortunately not so well documented. Though Blanquerna may have "remembered how that once when he was Pope a Saracen had related to him that the Saracens have certain religious men, and that among others are certain men called Sufis, who are the most prized among them, and these men have words of love and brief examples which give to men great devotion ",¹ there exists no Moslem counterpart of Raymund Lull's exquisite *Book of the Lover and the Beloved*. For all that, it is notorious how the Sufis stimulated their religious emotions by listening to the recitation of amorous poetry,² and it was not long before images drawn from bacchanalian and erotic verse became the conventional repertory of mystical poets.

It is therefore in the works of such popular favourites as 'Umar ibn Abī Rabī'a and Abū Nuwās that we may legitimately look to find the models of amorous conversation which was later a feature of Sufi verse. The sources of inspiration for "Arabic mystical poetry are the secular odes and songs of which this passion is the theme ; and the imitation is often so close that unless we have some clue to the writer's intention, it may not be possible to know whether his beloved is human or divine ".³ The most famous dialogue in Moslem mystical literature occurs in Ibn al-Fārid's masterpiece, the *Nazm al-sulūk*; though to be sure the commentators, eager to defend the Egyptian poet against the ready accusation of blasphemy, explain—and no doubt rightly—that the loving conversation sustained at great length in the opening scene of that elaborate ode in 760 couplets takes place not between the human soul and God, but between the human soul and the eternal Spirit of Mohammed.⁴ But it is in the lyric proper that the ancient tradition of love-making is most characteristically preserved—let us recall that the dictionaries define the original meaning of *ghazal* as "play, sport,

¹ R. Lull, *The Book of the Lover and the Beloved* (tr. E. A. Peers), p. 18.

² See al-Sarrāj, pp. 267-314, esp. pp. 283-97; al-Qushairī, pp. 151-8.

³ R. A. Nicholson, *Studies in Islamic Mysticism*, pp. 163-4.

⁴ Ibid. pp. 193-4; see my *The Poem of the Way*, pp. 75-8.

dalliance, or wanton conduct, and amorous talk, with women ”¹—and this fact helps us to appreciate the significance of the dialogue in so sophisticated a form as the poetry of Hāfiẓ.²

- “ Ah, when shall I to thy mouth and lips attain ? ”
- “ Fore God, but speak, for thy word is sovereign.”
- “ ‘Tis Egypt’s tribute thy lips require for fee.”
- “ In such transaction the less the loss shall be.”
- “ What lip is worthy the tip of thy mouth to hold ? ”
- “ To none but initiates may this tale be told.”
- “ Adore not idols, but sit with the One, the True.”
- “ In the street of Love it is lawful both to do.”
- “ The tavern’s breath is balm to the spirit’s smart.”
- “ And blessed are they that comfort the lonely heart.”
- “ No part of faith is the dervish cloak and the wine.”
- “ Yet both are found in this Magian faith of mine.”
- “ What gain can coral lips to an old man bring ? ”
- “ A honeyed kiss, and his youth’s recovering.”
- “ And when shall bridegroom come to the couch of the bride ? ”
- “ The morn that Moon and Jupiter stand allied.”
- “ Still Hafiz prays for thy yet ascending might.”
- “ So pray and praise the angels in heaven’s height.”

The Persian poet writes with his customary ambiguity. At the common human level he reports a conversation between an old Sufi and a young disciple who is also of course a wine-bearer (*saki*) ; on a higher but still human plane, the *saki* is the poet’s royal patron who dispenses—or it is hoped that he will dispense—all favour and generosity ; a loftier view sees in the youthful figure a symbol of the Prophet Mohammed, the wine in whose flagon is Divine revelation ; at the sublimest height he would be God Himself. Centuries of development have gone before this masterly treatment of the central myth of speculative Sufism.

It is of course no part of the Sufi poet’s intention to reproduce or even to formalize an actual colloquy ; he merely employs this convention, borrowed from his mundane predecessors, to elaborate new variations on an old theme. We may therefore dismiss the dialogue in verse from our enquiry ; in any case the poet is often reminded that certain things are too sacred to be put into words.

¹ E. W. Lane, *An Arabic-English Lexicon*, i. 2255.

² A. J. Arberry, *Fifty Poems of Hāfiẓ*, pp. 103-4.

“ Speak not of this,” Thou saidst,
Then into speechless mysteries Thou ledst
My wandering soul :
Can utterance describe the unutterable ?

So Abu 'l-Husain al-Nūrī reported his own silencing.¹ Jalāl al-Dīn Rūmī uses the word *khāmūsh* (silent) so frequently in his lyrics that it virtually becomes a second signature. So, having described the soul's descent from its heavenly home, he suddenly ends :²

Now I would tell
How thither thou mayest come ;
But ah, my pen is broken
And I am dumb.

Hāfiẓ too reminds us that it was because he published the story of his Divine romance that al-Hallāj was crucified :³

That friend who, being raised sublime
Upon the gallows, glorified
The tree that slew him for his crime,
This was the sin for which he died,
That, having secrets in his charge,
He told them to the world at large.

Who then broke the rule of silence, and under what circumstances did they publish “ to the world at large ” the conversations which they enjoyed with the Most High ? A passage in the works of Ibn 'Arabī appears to give the answer. “ Know then, that between every *manzil*, *munāzala*, *maqām*, and *hāl* there is a buffer state in which the mystic pauses. . . . When God desires to transfer the mystic from one thing to another, He stays him between the two, and provides him with certain rules proper to the state to which he is being transferred, teaching him how to conduct himself as befits what is about to befall him. For God has rules of behaviour proper to every *manzil*, *maqām*, *hāl*, and *munāzala* ; the mystic must at such times obey the Divine rules, or be expelled. . . . In this way sound instruction has

¹ See al-Kalābādhī (tr. A. J. Arberry), p. 82.

² A. J. Arberry, *Immortal Rose*, p. 62.

³ A. J. Arberry, *Fifty Poems of Hāfiẓ*, p. 98. The theme is of course ancient and originally profane ; the lover should keep the story of his love to himself, see Ibn Ḥazm, *The Ring of the Dove* (tr. A. J. Arberry), pp. 76-81.

come down through God's revelation in times of confusion, revelation contrary to the forms of dogmatic beliefs, though preserving the dogmatic beliefs themselves. At the present day, however, nobody ever thinks of accepting or welcoming such revelation; but all declare, when the 'I am your Lord' comes to them, 'We take refuge from thee in God'.¹ In another context Ibn 'Arabī refers to "the Wāqifiya" as "the people of the *mawāqif*"—that is to say, those who hold the doctrine explained above—and quotes as instances the names of Muham-mad ibn 'Abd al-Jabbār al-Niffarī and Abū Yazīd al-Biṣṭāmī.²

Now in discussing the experience called *mauqif* Ibn 'Arabī is obviously basing his views upon the writings of one man only—al-Niffarī—and, more specifically, upon his book the *Kitāb al-Mawāqif*, on which the Murcian theosophist may well have written a commentary.³ I have suggested elsewhere that al-Niffarī derived the curious form in which he recorded his "revelations" from certain sayings attributed to al-Biṣṭāmī;⁴ I shall return to this point again. Meanwhile it is to be observed that it is in these same sayings that we have seemingly the earliest examples of authentic Divine colloquy in Moslem mysticism.⁵ Let us therefore examine the relevant material, using the most ancient and therefore, presumably, the most reliable reports.

(1) Once He raised me up and stationed me before Him, and said to me: "Abū Yazīd, behold, My creatures desire to see thee." Then I said: "Adorn me with Thy Unicity, and clothe me in Thy Selfhood, and raise me up to Thy Oneness, so that when Thy creatures see me they will say, 'We have seen Thee'; and Thou wilt be That, and I shall not be there at all."

This famous anecdote occurs in the *Kitāb al-Luma'* of Abū Naṣr al-Sarrāj, a work written approximately one hundred years after the death of al-Biṣṭāmī.⁶ Al-Sarrāj reproduces it as being a widespread and popular report, but expresses himself doubtful

¹ Ibn 'Arabī, *al-Futūḥāt al-Makkiya* (Cairo, 1293/1876), ii. 805.

² Ibid. ii. 187.

³ See my *The Mawāqif and Mukhātabāt*, p. 201.

⁴ See *Bulletin of the School of Oriental and African Studies* (1953), p. 31.

⁵ Badawī (*Shaṭāḥāt al-Ṣūfiya*, pp. 17-18) suggests a foreshadowing in the sayings of Rābi'a al-'Adawiya; the evidence which he produces is not very conclusive.

⁶ *Kitab al-Luma'*, p. 382. See Badawī, op. cit. p. 17.

of its authenticity ; however, it was admitted as accurate by al-Junaid, who included this story in the collection of al-Bistāmī's dark sayings upon which he wrote a commentary. Both al-Junaid and al-Sarrāj endeavour to interpret al-Bistāmī's words along lines calculated to make them acceptable to orthodox Moslem sentiment ; al-Sarrāj indeed treats the incident as a *munājāt*, using terminology which he employs elsewhere to explain that phenomenon.¹ This is, however, surely all a little too plausible ; the matter deserves a closer investigation than they were prepared to give it. Let us look at the actual words used by al-Bistāmī to depict the situation : *rafa'anī marratan fa-aqāmanī baina yadaihi wa-qāla lī*. What is the special significance of *rafa'anī*? In the story of the Prophet's Ascension, upon which al-Bistāmī's narrative is supposed to be modelled, the phrases used are quite different.² But when we turn to the Koran, we appear to find several clues. Thus, in Sura iii. 48 we read : *idh qāla llāhu yā 'Isā innī mutawaffika wa-rāfi'uka ilaiya. . . .*

When God said, " Jesus,
I will take thee to Me
and will raise thee to Me. . . ."

Again, in Sura iv. 156 we have : *wa-mā qatalūhu yaqīnan bal rafa'ahu llāhu ilaihi,*

And they slew him not of a certainty—
no indeed ; God raised him up to Him.

Moreover, Sura xix. 57-58 states : *wa-dhkur fī l-kitābi Idrīsa innahu kāna ṣiddīqan nabīyan wa-rafa'nāhu makānan 'alīyan.*

And mention in the Book Idris ; he was
a true man, a Prophet.
We raised him up to a high place.

Are we not justified in concluding on this evidence that al-Bistāmī was comparing his experience with that of Jesus and Enoch, both of whom were miraculously translated ?

Koran iii. 48 troubled the exegetes not a little. The word *mutawaffika* inevitably suggested the normal meaning of God

¹ Cf. *Kitab al-Luma'*, p. 349.

² See L. Massignon, *Essai sur les origines du lexique technique de la mystique musulmane*, pp. 247-8.

"taking the soul" at death, and this conflicted with the fundamental Moslem thesis that Jesus was not slain on the Cross. Fortunately there was Koran vi. 60 to support another interpretation : *wa-huwa lladhi yatawaffākum bi-l-laili.*

It is He who recalls you by night.

There the idea is of God "taking the soul" in sleep.¹ So certain scholars took Koran iii. 48 to mean that God took Jesus and raised him to Him while he was in a sleeping state ;² others understood the words to signify a literal elevation without death, Jesus being reserved in God's presence against the day when he should descend again to slay the Antichrist.³ The discussion immediately recalls the similar conflict on whether Mohammed experienced his Ascension waking or asleep.⁴ The same dispute arose over Koran iv. 156.⁵ As for Koran xix, 57-58, this set a limit to the height which Enoch's levitation reached ; "to a high place" was stated by some to mean the fourth heaven, while others averred that it signified the sixth heaven.⁶ In any case there is no suggestion that he attained God's presence. We have therefore cause to eliminate Idris = Enoch from our purview, for all his special position in Moslem wonder-legend,⁷ and to conclude that al-Bistāmī had in mind only the miraculous raising-up of Jesus ; the parallel is emphasized by the fact that in Sura iii. 48 it is revealed that God actually spoke to Jesus.

Let us now turn our attention to *fa-aqāmani baina yadaihi*. Al-Sarrāj rightly remarks that "all creatures are before God ; not a breath nor a thought of theirs escapes Him, though they differ in the degree of their awareness of the fact".⁸ The context suggests, however, that al-Bistāmī was referring to a literal "standing before God" as on "the day when men shall stand unto the Lord of all Being".⁹ that Day of Resurrection (*yaumu l-qiyāmi*) on which "all creatures shall stand before the Living, the Everlasting".¹⁰ If this conjecture is correct, then

¹ The commentators are agreed, and the context proves this conclusively.

² See al-Tabārī, *Tafsīr*, iii. 202.

³ *Ibid.* iii. 204.

⁴ See above, p. 21.

⁵ *Ibid.* vi. 13.

⁶ *Ibid.* xvi. 72.

⁷ See A. J. Wensinck in *Encyclopaedia of Islam*, ii. 450.

⁸ *Kitāb al-Luma'*, p. 382.

⁹ Koran lxxxiii. 6.

¹⁰ See Ibn Manzūr, *Lisān al-'Arab*, xv. 409.

al-Biṣṭāmī is describing a foretaste he enjoyed of the experience which will be the common lot of all humanity at the Last Day. And if we are right in taking this phrase as anticipating al-Niffarī's oft-repeated *auqafanī*, then it is to be remarked that the later writer chose a word—though his predecessor was before him even there—which has still clearer Koranic sanction as suggesting the Day of Judgment.¹

(2) The True One looked down into the secret hearts of the world, and beheld them empty of Him ; save only my secret heart, for He saw that it was full of Him. Then He addressed me, magnifying me and saying : “ All the world are my slaves, save thee.”

This report comes from al-Sahlajī writing two centuries after the death of al-Biṣṭāmī,² his information deriving ultimately from Abū Muḥammad al-Jarīrī who died early in the tenth century.³ Here we have no suggestion of an Ascension ; in this incident God descends into the sublunary world. The use of the word *khāṭabānī* (He addressed me) reminds us that al-Niffarī's second collection of “ revelations ” is called *Kitāb al-Mukhāṭabāt*.⁴

(3) The True One stationed me (*auqafanī*) in a thousand stations (*mauqif*) before Him, offering me the kingdom in every station, but I said, “ I do not desire it ”. Then He said to me in the last station : “ Abū Yazid, dost thou desire ? ” I said : “ I desire not to desire.”

This also derives from al-Sahlajī⁵ whose authority on this occasion mounts to Khalaf ibn ‘Umar al-Biṣṭāmī, elsewhere mentioned as quoting Abū Yazid's personal attendant and nephew Abū Mūsā.⁶ Its authenticity is therefore well attested ; and it affords incontrovertible proof that al-Niffarī was familiar with the anecdotes of the great Persian mystic. A variant version of this incident occurs elsewhere in al-Sahlajī's monograph,⁷ the reporter there being Abū Mūsā himself. It clearly belongs also

¹ Koran vi. 27, 30, xxxiv. 30.

² See *Kitāb al-Nūr*, edited in Badawī, *Shataḥāt al-Ṣūfiya*, p. 102 ; al-Sahlajī died in 476/984, see H. Ritter in *Encyclopaedia of Islam* (new edn.), i. 162.

³ Badawī, loc cit. prints al-Harīrī but this is evidently wrong ; for al-Jarīrī, who was a companion of al-Junaid, see al-Sulamī, *Tabaqāt al-Ṣūfiya*, p. 259.

⁴ Cf the use of *khāṭabān* in Koran lxxvii. 37.

⁵ *Kitāb al-Nūr*, p. 113.

⁶ Ibid. p. 83, cf. p. 50.

⁷ Ibid. p. 115.

to the same family as the next narrative, credited to Abū Mūsā's son 'Ammī Mūsā.¹

(4) When He caused me to view the Unity, I divorced my soul and proceeded to my Lord, and called unto Him imploring His succour and saying : "Master, I pray to Thee as one to whom no longer anything remains except Thee." When He realized the truthfulness of my prayer, and how I had despaired of my soul, the first answer to this prayer that came upon me was that He caused me to forget my soul totally ; then He caused me to forget all creatures and all dominions. So I became empty of cares, and remained without any care. Then I continued to traverse kingdom upon kingdom ; and whenever I came to them I said to them, "Stand up, so that I may pass". So I would make them stand, and I would pass, until I came to them (all). Then He brought me very near, appointing for me a way to Him nearer than spirit to body. Thereafter He said : "Abū Yazid, they are all My creatures, apart from thee." And I said : "So I am Thou, and Thou art I, and I am Thou."

This is very manifestly an adaptation of the story of Mohammed's Ascension, a more developed form of the preceding narrative but far from the elaboration displayed in the version given by the fourteenth-century writer Abu 'l-Qāsim al-Junaid al-Baghdādī, as edited and translated by R. A. Nicholson.² That very fanciful account, which incorporates a number of phrases drawn from the primitive version, presents the whole incident as taking place in a dream, and with its wealth of description and constant repetition recalls some tale from the *Arabian Nights* rather than a mystic's faltering attempt to give expression to an ecstatic experience. In the version here translated the dialogue, as in the three preceding anecdotes, is very brief and confined to a single exchange ; al-Bistāmī's reply, epitomizing the mystical annihilation of the subject-Object relationship, is paralleled elsewhere in his semi-incoherent utterances.³

(5) I saw the Lord of Glory in a dream, and I said : "How is the way to Thee ?" He said : "Leave thy self, and come !"

(6) I saw the Lord of Glory in a dream, and He said to me : "All men seek of Me, except that thou seekest Me."

(7) I saw the Lord of Glory in a dream, and He said : "What dost thou desire ?" I said : "I desire not to desire except what Thou desirest." He said to me : "I am thine, even as thou art Mine."

¹ *Kitāb al-Nūr*, p. 119.

² See *Islamica*, ii. 402-15.

³ See for instance *Kitāb al-Nūr*, p. 111.

These three anecdotes are in a class apart, since they report al-Bistāmī as admitting that on these occasions his experience was in sleep.¹ It is curious that an exactly similar incident to that described in the second of this trio is told of a woman-attendant of the saint ; she also saw the Lord of Glory in a dream " as if saying, ' It is as though all men seek other than Me, apart from Abū Yazid, for he has sought Me ' ".² This woman was presumably the same as the " royal lady " who claimed to have enjoyed a miraculous night-journey on her own account, in the course of which she saw God, as well as a remarkable inscription that read : " There is no god but God, Abū Yazid is the Chosen of God." ³

(8) I heard once in the Mystery : " Abū Yazid, what thinkest thou of My doing with thee ? " I said : " Thy doing with me." Then He raised me up to the hidden world of His Mystery, and said : " My darling, be a mystery within My Mystery." I said : " My Darling, Thou art Thine own Mystery within Thyself."

This story goes back to Abū Mūsā al-Dabīlī, al-Bistāmī's visitor from Dabil in Armenia.⁴ The same informant transmitted the next report.⁵

(9) I divorced the world thrice and irrevocably ; then I abandoned it, and proceeded alone to my Lord. Then I called unto Him, imploring His succour : " My God and Master, I pray to Thee as one to whom no longer anything remains except Thee." When He realized the truthfulness of the prayer from my heart, together with my despair—for He had been barring me from every gift I knew, until He should reach with His Selfhood the furthest extent of the understanding of those who had understanding, and then make me to understand how to seek Him without qualification, there being no god but God—then He bestowed gifts upon me for a time. Thereafter He expelled me from them into the arena of Unity ; then He pastured me in the meadows of His Lordship and the prairie of His Essentiality, and said : " My darling, be thou My Omnipotence and My Tokens, and My Attribute in thy earth, and a light in thy universe, and a beacon in thy creation." Then He clothed me in the veils of His lights, and shrouded me with His coverings, and illumined me with the light of His Essence, and He said : " O thou My proof ! " I said : " Thou art the proof of Thyself ; there is no need for me in that."

¹ *Kitāb al-Nūr*, pp. 64, 85, 96.

² Ibid. p. 74.

³ Ibid. p. 123. The phrase " Chosen of God " also occurs in the version published by R. A. Nicholson, p. 407.

⁴ Ibid. p. 99 ; see H. Ritter, loc. cit. and cf. Yāqūt, *Mu'jam al-buldān*, iv. 35. L. Massignon (*Essai*, p. 244), followed by R. A. Nicholson (loc. cit. p. 403) read Dubailī, while Badawī (*passim*) prints Daibulī.

⁵ *Kitāb al-Nūr*, p. 99.

This anecdote clearly belongs to the same family as the "Ascension" group; common features of phraseology prove this. At the same time the employment of technical terms distinguishes it sharply from the primitive forms of the narrative, and suggest that the original tradition has been modified by someone, perhaps al-Bistāmī himself but more likely a disciple, who wished to give it a semi-theological, semi-gnostic colouring. This tendency, which is not present in the fourteenth-century version that is ascribed not, as R. A. Nicholson supposed, to Abū Mūsā al-Dabīlī¹ but to al-Bistāmī's nephew Abū Mūsā, shows itself most strikingly in the very long colloquy, unique in Moslem literature, which al-Sahlajī has preserved, significantly again on the authority of the Armenian visitor.² As I have given elsewhere a complete translation of this remarkable narrative, I shall limit myself here to presenting a few extracts.

(10) I gazed upon my Lord with the eye of certainty, after He had turned me away from other than Him and had illumined me with His light; and He showed me marvellous things of His secret. He also showed me His Selfhood, and I gazed upon my identity with His Selfhood; and there passed away my light in His Light, my glory in His Glory, my power in His Power. . . . Then I gazed upon Him with the eye of truth, and said to Him: "Who is this?" He said: "This is neither I nor other than I. There is no god but I." Then He changed me out of my identity into His Selfhood. . . . Then I gazed upon Him with His Light, and knew Him through His Knowledge, and communed with Him with the tongue of His Grace, saying: "How fares it with me with Thee?" He said: "I am thine through thee; there is no god but thou." . . . Then He was silent towards me, and I knew that His silence was a sign of His good pleasure. Then He said: "Who made thee to know?" I said: "He that asks knows better than he who is asked. Thou art the Answerer, and Thou art the Answered. Thou art the Asker, and Thou art the Asked. There is no god but Thou." God's proof to me through Him thus ended. . . . Then He lit me with the light of the Essence, and I gazed upon Him with the eye of Divine Bounty, and He said: "Ask what thou wilt of My Bounty, and I will give it thee." I said: "Thou art more bountiful than Thy Bounty; Thou art more generous than Thy Generosity. I am content with Thee in Thee, and I have come in the end to Thee. . . . Thou art the Seeker, and Thou art the Sought. Desire is cut off from Thee, and asking is cut off from Thee through Thee." Then He did not answer me for a time; but presently He answered me, saying: "Truth it is that thou hast spoken, truth thou hast heard, truth thou hast seen, truth thou hast confirmed." I said: "Yes indeed; Thou art the Truth, and

¹ Loc. cit. p. 403.

² *Kitāb al-Nūr*, pp. 138-41. See my *Revelation and Reason in Islam* (forthcoming).

through the Truth the Truth is seen. . . . Thou art the Truth, and the One who makes true. There is no god except Thee." He said : "Thou art naught but the Truth, and the truth thou hast spoken." I said : "Rather, Thou art the Truth, and Thy words are true, and the Truth through Thee is true. Thou art Thou ; there is no god except Thee." Then He said to me : "What art thou ?" I said to Him : "What art Thou ?" He said : "I am the Truth." I said : "I am through Thee." He said : "If thou art through Me, then I am thou and thou art I." I said : "Delude me not with Thee instead of Thee. No indeed ; Thou art Thou ; there is no god except Thee." So when I had reached unto the Truth, and stood with the Truth through the Truth, He created for me the wing of glory and majesty ; and I flew with my wing, yet I did not attain to the extremity of His Glory and Majesty. So I called upon Him, beseeching Him to succour me against Him, for I had no power against Him save in Him. Then He gazed upon me with the eye of munificence, and strengthened me with His Strength ; and He adorned me, and crowned me with the crown of His Generosity upon my head. He made me unique in His Uniqueness, and one in His Oneness ; and He attributed me with His Attributes, the which none shares with Him. Then He said : "Become single in My Singularity, and unique in My Uniqueness. Lift up thy head with the crown of My Generosity, and be glorious in My Glory, and majestic in My Majesty. Go forth with My Attributes unto My creatures, that I may see My Selfhood in thy selfhood. Whosoever sees thee, will see Me ; and whosoever seeks thee, will seek Me, O thou My light in My earth, and My ornament in My heaven." . . . Then He gazed upon me with the eye of Power, and naughted me through His Being, and manifested in me through His Essence ; and I existed through Him. The communing thus ended, and the word became one, and the All became one through the All. Then He said to me : "O thou !" And I said through Him : "O I !" Then He said to me : "Thou art the single." I said : "I am the single." He said to me : "Thou art thou." I said : "I am I. If I had been I in respect of I, I would not have said I ; so since I was never I, be Thou Thou !" He said : "I am I." My speaking of His Identity was like in Unity to my speaking of His Selfhood. So my qualities became the Qualities of Lordship, and my tongue the Tongue of Unity, and my qualities were "He is He, there is no god but He."

We have good reason to be grateful for the preservation of this singular document, surely the most perfect expression imaginable of the sublime experience of what the Sufis call *fānā'*, the passing away of the mystic's human individuality in union with God. We do not meet the like of this ecstatic colloquy elsewhere ; the nearest approach to it—and how far away from the original the imitation seems—occurs in the records of that lonely and mysterious anchorite of Iraq, Muḥammad ibn 'Abd al-Jabbār al-Niffarī. The unexpected recovery of an autograph manuscript of a previously unrecorded section of his writings

has confirmed the statement by his commentator 'Afif al-Din al-Tilimsānī that the *Kitāb al-Mawāqif*—and the *Kitāb al-Mukhāṭabāt*—as hitherto known to us had been compiled as such not by al-Niffārī himself but by a later editor.¹ The original arrangement, as testified at least by the author's transcript dated 344 (955-6), discloses a series of mixed passages in prose and verse, each section being introduced by the Koranic formula *bismi llāhi r-rahmāni r-rahīm*. The fragment contains three sections in the manner of the *Mawāqif* and two similar to the *Mukhāṭabāt*, together with some petitions and other material. The *Mawāqif* and *Mukhāṭabāt* purport to be communications received by al-Niffārī direct from God, and the use of the *basmala* inevitably challenges comparison with the Koran; it was presumably for this reason that their author was described by al-Dhahabī as "the man of the *Mawāqif* and the pretensions and the heterodoxy".² The substance of the "revelations" does little to encourage the belief that the Iraqi mystic was setting down more than the contents of his conscious, or perhaps unconscious mind, for their vocabulary is highly technical and abounds in personal idiosyncrasies. The discourse is almost entirely one-sided—only this time it is the Creator and not the creature who is supposed to be speaking—and the form of colloquy occurs but rarely; where it does occur, it seems somewhat artificial and far less impressive than that exhibited in al-Bistāmī's utterances. To clarify the record, al-Niffārī's pretended conversations with God are here isolated from the body of his writings.

(I) He stayed me in His Reality. . . . And I saw the sparklings as darknesses, and the waters as a stony rock. . . . And I saw that which never changes; and He gave me a mutable condition, and I saw everything that was ever created. . . . And the vision was divided into two parts, ocular and mental; and lo, the whole of it, neither moving nor making utterance. And He said to me, "How didst thou see it before the vision of My reality?" And I said: "Moving and making utterance." And He said to me: "Know the difference, that thou mayest not be lost." And He made me to turn away from His reality, and I saw nothing.

¹ See my "More Niffārī" in *Bulletin of the School of Oriental and African Studies*, 1953, p. 29.

² See my edition, p. 14.

This brief exchange occurs in *Mauqif* 38, which is stated by the scribe of the old Gotha manuscript to have been composed in the year 352 (963-4); two other copies confirm his assertion.

(2) He stayed me. . . . And He unveiled to me the face of every living thing, and I saw it attaching itself to His face. . . . And He said to me : "Look upon My face." And I looked ; and He said : "There is naught beside Me." And I said : "There is naught beside Thee." And He said to me : "Look upon thy face." And I looked ; and He said : "There is naught beside thee." And I said : "There is naught beside me." And He said : "Depart, for thou art the learned."

There can be no doubt that this extract from *Mauqif* 41 is closely modelled upon a scene from al-Bistāmī's "Ascension".¹

(3) He stayed me. . . . And I saw the sun and the moon, the stars, and all the lights. . . . He said to me : "Who am I ?" And the sun and the moon were darkened, and the stars fell from the sky, and the lights grew pale, and darkness covered everything save Him. And everything spoke, and said : "God is most great." And everything came to me, bearing in its hand a lance. And He said to me : "Flee !" And I said : "Whither shall I flee ?" And He said : "Fall into the darkness." And I fell into the darkness, and beheld myself.

This astonishing passage, obviously inspired by the Koranic descriptions of the Last Day,² comes from *Mauqif* 44.

(4) He stayed me in Raiment. . . . And He said to me : "Say unto them, 'I have returned unto you !'" So I said : "He stayed me, and before I should return I had no speech. For He showed me Unity, whereby I knew neither passing-away nor continuance ; and He caused me to hear Unity, and I had no knowledge of the hearing of it. And after this, He restored me to what I was before ; and in the restoring, I saw a sheet, and I will read it to you."

This section from *Mauqif* 48 is of course not an example of colloquy, but has been quoted to show al-Niffarī's explanation of how his "revelations" came to him.³ An alternative account is given in *Mauqif* 58.

(5) He stayed me in His Vision. . . . And He said to me : "Write down the manner of My Self-revelation to thee by means of the gnosis of revealed certainty, and write down how I caused thee to witness and how thou didst witness, that it may be a recollection to thee, and a stablishing for thy heart." So I wrote down with the tongue of what He caused me to witness, that it might be a recollection to me, and to whomsoever my Lord revealed Himself unto among His friends, whom He desired to establish in His gnosis, not desiring any temptation to come upon their hearts.

¹ *Kitāb al-Nūr*, p. 140.

² Cf. Koran lxxxi.

³ See my edition, p. 232.

The phrase "and a stablishing for thy heart" is surely an echo of Koran xxv. 34 :

The unbelievers say, "Why has the Koran
not been sent down upon him all at once?"
Even so, that We may stablish thy
heart thereby, and We have chanted it
very distinctly.

The next three passages all occur in *Mauqif* 67, which is admittedly a preview of the Day of Judgement.¹

(6) And He said to me : "What is the Fire?" I answered : "One of the lights of onslaught." He said : "What is onslaught?" I answered : "One of the qualities of might." He said : "What is might?" I answered : "One of the qualities of majesty." He said : "What is majesty?" I answered : "One of the qualities of greatness." He said : "What is greatness?" I answered : "One of the qualities of authority." He said : "What is authority?" I answered : "One of the qualities of power." He said : "What is power?" I answered : "One of the qualities of essence." He said : "What is essence?" I answered : "Thyself, O God; there is no god beside Thee." He said : "Thou hast spoken the truth." I answered : "It is Thou that didst make me to speak." He said : "That thou mayest see My clear evidence."

(7) And He said to me : "What is Paradise?" I answered : "One of the qualities of blessing." He said : "What is blessing?" I answered : "One of the qualities of kindliness." He said : "What is kindliness?" I answered : "One of the qualities of generosity." He said : "What is generosity?" I answered : "One of the qualities of sympathy." He said : "What is sympathy?" I answered : "One of the qualities of love." He said : "What is love?" I answered : "One of the qualities of friendship." He said : "What is friendship?" I answered : "One of the qualities of approval." He said : "What is approval?" I answered : "One of the qualities of election." He said : "What is election?" I answered : "One of the qualities of regard." He said : "What is regard?" I answered : "One of the qualities of essence." He said : "What is essence?" I answered : "Thyself, O God." He said : "Thou hast spoken the truth." I answered : "It is Thou that didst make me to speak." He said : "That thou mayest see My kindness."

(8) And He said to me : "Who are the people of the Fire?" I answered : "The people of the letter manifest." He said : "Who are the people of Paradise?" I answered : "The people of the letter concealed." He said to me : "What is the letter manifest?" I answered : "Theory that guides not unto practice." He said : "What is the letter concealed?" I answered : "Theory that guides to reality." He said to me : "What is practice?" I answered : "Sincerity." He said to me : "What is reality?" I answered : "That whereby Thou makest Thyself known." He said to me : "What is sincerity?" I answered : "To Thy face." He said : "What is self-revelation?" I answered : "What thou castest into the hearts of Thy saints."

¹ See my edition, p. 111.

It is difficult to accept these catechisms as examples of genuinely ecstatic colloquy ; their artificiality is all too apparent. Nevertheless in *Mauqif* 72 al-Niffarī is told : " When thou abidest in this station, I say to thee, ' Speak ', and thou speakest ; and that which thou speakest is through My speaking." That is a sufficiently clear commentary on the famous Tradition, so often quoted by Sufi writers, according to which God said : " In no way does My servant so draw nigh Me as when performing those duties which I have imposed on him ; and My servant continues to draw near to Me through works of supererogation, until I love him. And when I love him, I am his ear, so that he hears by Me, and his eye, so that he sees by Me, and his tongue, so that he speaks by Me, and his hand, so that he takes by Me."¹

(9) He stayed me in Resignation, and said to me : " It is My religion ; desire therefore nothing other than it, for (other) I will not accept." And He said to me : " It is this, that thou shouldst resign to Me that which I decree for thee, and that which I decree against thee." I said : " How shall I resign to Thee ? " He answered : " Do not oppose Me with thy opinion, and do not seek any guide for My right over thee of thyself ; for thy self will never guide thee to My right, nor will it embrace My right in obedience." I said : " How shall I not oppose Thee ? " He answered : " Thou wilt follow, and not invent." I said : " How shall I not seek any guide for Thy right of myself ? " He answered : " When I say to thee, ' This is thine,' thou wilt say, ' This is mine,' and when I say to thee, ' This is Mine,' thou wilt say, ' This is Thine.' Then will My command be thy addresser, and will have a right over thee ; it will guide thee, and thou wilt seek guidance of it unto it, and by means of it attain to it." I said : " How shall I follow ? " He answered : " Thou wilt hear My word and tread My way." I said : " How shall I not invent ? " He answered : " Thou wilt not hear thy word nor tread thy way." I said : " What is Thy word ? " He answered : " My doctrine." I said : " Where is Thy way ? " He answered : " My ordinances." I said : " What is my word ? " He answered : " Thy bewilderment." I said : " What is my way ? " He answered : " Following thy own judgement." I said : " What is following my own judgement ? " He answered : " Thy analogy." I said : " What is my analogy ? " He answered : " Thy incapacity in thy theology." I said : " How should I lack capacity in my theology ? " He answered : " I have made trial of thee in everything that proceeds from Me to thee, by means of something that proceeds from thee to Me. I have tried thee in My theology by means of thy theology, that I might see whether thou followest thy theology or Mine ; and I have tried thee in My ordinance by means of thy ordinance, that I might see whether thou judgest by My ordinance or thine." I said : " How should

¹ See my *Sufism*, p. 27, with references.

I follow my theology, or how should I act according to my ordinance?" He answered : "Thou departest from the ordinance concerning My theology, to the ordinance concerning thine." I said : "How do I depart from the ordinance concerning Thy theology, to the ordinance concerning mine?" He answered : "Thou makest lawful by thy doctrine what I have made unlawful by Mine, and thou makest unlawful by thy doctrine what I have made lawful by Mine; and thou claimest that that is by My leave, and that that proceeds from My command." I said : "How do I make claim of Thee?" He answered : "Thou comest with an act which I have never commanded thee, and makest judgement for it by My ordinance concerning an act which I did command thee; and thou comest with a word which I have never commanded thee, and makest judgement for it by My ordinance concerning a word which I did command thee." I said : "I will not come with an act which Thou hast not commanded me, and I will not come with a word which Thou hast not commanded me." He said : "If thou comest with it as I have commanded thee, it is My word and My act; and by My word and My act falls My ordinance. But if thou comest with it as I did not command thee, then it is thy word and thy act; and by thy word and thy act falls not My ordinance, nor do My religion and My commandments thereby live." And He said to me : "If thou equatest My word and thy word, or if thou equatest My ordinance and thy ordinance, thou hast made thyself equal with Me." I said : "There is no ordinance, save as belonging to Thy word and Thy act." He said : "Thou hast understood." I said : "I have understood." He said : "Incline not." I said : "I will not incline." He said : "Whoso has understood My command, he has truly understood; but whoso understands the opinion of himself, he has not understood."

That is *Mauqif* 76 in its entirety; and it seems inconceivable that this long discussion of the legal principle of *qiyyās* (analogy)¹ should have formed the subject of an authentic Divine colloquy. The argument floods over into *Mauqif* 77, which is equally artificial.

(10) He stayed me in Protection, and said to me : "Resign thyself to Me, and depart. If thou departest not, thou opposest; and if thou opposest, thou becomest contrary." And He said to me : "Thou knowest how to resign thyself to Me and not to intermediaries." I said : "What are intermediaries?" He answered : "Science, and every object of science." And He said to me : "Thou knowest how to resign thyself to Me and not to intermediaries." I said : "How?" He answered : "Thou resignest to Me with thy heart, and to intermediaries with thy body."

"In this way sound instruction has come down through God's revelation in times of confusion, revelation contrary to the forms of dogmatic beliefs, though preserving the dogmatic beliefs themselves." So Ibn 'Arabī evaluated the contents of al-Niffarī's

¹ See A. J. Wensinck in *Encyclopaedia of Islam*, ii. 1051-2.

writings,¹ which in certain places do not hesitate to parody the Koranic formula "Say!" Not only did he approve of and admire the work of the Iraqi mystic, but he paid it the sincere compliment of faithful imitation.

The writings of the Murcian are so extremely voluminous, and so many of his scattered treatises have yet to be published that it is impossible in our present state of knowledge to attempt anything approaching a comprehensive survey. Moreover, Ibn 'Arabī's method, or rather his lack of method, is indeed remarkable; the relevant material for the discussion of any aspect of his "system" often enough lies buried in a mass of unrelated matter. Thus, for instance, in the middle of a book entitled *Kitāb al-Kutub*, which purports to be a collection of letters written to various friends, we suddenly light upon a *Mauqif* in the true manner of al-Niffari, complete even with a fragment of colloquy.² But Ibn 'Arabī, who could not allow any predecessor to have the advantage of him, and claimed to have conversed in the spirit with the greatest Sufis of old,³ inevitably experienced an "Ascension" on his own account and wrote down the Divine communications received on that occasion in his *al-Isrā' ilā 'l-maqām al-asrā'*. This book, completed at Fez in the year 594 (1198),⁴ ostensibly describes a miraculous vision vouchsafed to the author when "he set forth from the land of Andalusia, intending to come to Jerusalem, having taken Islam for a steed, mortification for a rolling plain and trust-in-God for provision".⁵ He was accompanied on his celestial ascent, not by Gabriel, but by the Prophet Mohammed; during his progress through the seven heavens he met and talked with Adam, Jesus, Joseph, Enoch, Aaron, Moses and Abraham. After further wonderful adventures the pilgrim reached the near presence of God and was privileged to enjoy a prolonged Divine colloquy. Here convention attains its natural conclusion; the entire narrative proves of course to be an elaborate allegory enabling Ibn 'Arabī to set out once more in yet another novel guise his characteristic theosophy.

¹ See above, p. 30.

² Op. cit. pp. 28-9.

³ See his *Kitāb al-Tajalliyāt*, pp. 31-8.

⁵ Op. cit. p. 3.

⁴ See the author's colophon, p. 92.

Even less acceptable are the "revelations" contained in the book called *al-Mawāqif al-ilāhīya*.¹ The author of this poor plagiarism, Abū Muḥammad 'Abd al-Qādir ibn Muḥammad known as Ibn Qaḍīb al-Bān, was born at Hama in 971 (1563-4) of a family which traced its descent from the caliph 'Alī, and died at Aleppo c. 1040 (1630). He is stated to have written more than forty books, including *al-Futūḥāt al-Madaniyya* in emulation of Ibn 'Arabī's *al-Futūḥāt al-Makkīya*, as well as much poetry, not forgetting an imitation of Ibn al-Fāridī's *Nażm al-sulūk*; of all that misdirected productivity only the parody of al-Niffarī seems to have survived.² Ibn Qaḍīb al-Bān also pretends to have "ascended"; in his account of the affair he obviously draws upon the fourteenth-century legend of al-Biṣṭāmī's heavenly journey, going so far as to cite names of angels invented after the identical pattern—whereas the Persian mystic is represented as meeting Nayā'il in the fourth heaven and Baryā'il in the seventh, the Syrian counterfeiter encounters Balsa'il in the sixth and Rūhā'il in the seventh. We have travelled a long way from Abū Yazīd al-Biṣṭāmī in the ninth century to Ibn Qaḍīb al-Bān in the seventeenth; what began as a high adventure into the loftiest ranges of spiritual ecstasy ends as a barefaced and somewhat puerile imposture.

¹ Text published in Badawī, *al-Insān al-kāmil fī 'l-Isālm*, pp. 123-73.

² See al-Muhibbī, *Khulāṣat al-athar*, ii. 465.

NOTES ON THE OPENING OF THE "BRONZE" SCROLLS FROM QUMRAN¹

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THE present story of the two "Bronze" scrolls from the Dead Sea concerns the study of their condition, their opening and physical examination, and the preparation of a transcription.

The work just completed has made it possible for the team of scholars in Jordan to begin their labours on the translation and study of the text, and their report is awaited with great interest. A copy of the first official statement can now be added as an appendix to these notes.

Scrolls No. 1 and 2 appear originally to have formed a single plaque of soft copper-base metal, about 8 feet long and 11 inches wide, built from three pieces of the same size riveted together at the ends, the thickness of the metal being three or four times that of a post card (0.03 in.-0.04 in.). The surface has been lettered by means of a punch while the sheet was lying upon a relatively soft base—such as wood—so that the back of the sheet was raised by about its own thickness.

Later an attempt had been made—either in haste or by unskilled hands—to roll the plaque, starting at one end, after the manner of the leather scrolls, and with the inscription facing inwards—but, the varying stiffness of the hammered metal adding to the difficulties, a poor start had been followed by only moderate success and at one joint in the plaque the rivets had failed. The remainder of the plaque, consisting of a single sheet, had then been formed into a second scroll, starting at the opposite end, both sides of the broken joint being visible on the outsides of the scrolls.

The two scrolls, resting one upon the other, were discovered imbedded in the dust of the floor of Cave 3 at Qumran, in the

¹ A lecture delivered in the John Rylands Library on Thursday, the 1st of March, 1956.

year 1952, probably some 2,000 years after their rolling. They presented a tantalizing problem to the archaeologist and the historian. Though obviously much changed, here was a record, apparently intact, which might well have involved the use of over 2,000 letters. Both religious and domestic records of great interest had been found among the leather scrolls—what was this document which had warranted the use of such an unusual method of recording? If used as an ornamental wall plaque, one would expect nail holes to be visible along one edge at least, yet none could be seen; if a library record—surely those with experience and skill to form and work such sheets would have realized the impracticability of frequently rolling and unrolling a sheet having such wide variations of stiffness and hardness as would result from the embossing and work hardening effects of the method of writing employed? Why should the rolling itself show so many signs of lack of skill or of great haste? Only the scrolls themselves held the answer, yet there they lay, corroded, cracked, charged with dirt, far more brittle than glass, tending to disintegrate at the touch, and verily folding their secrets to their hearts. To have attempted to unroll them would have led to complete crumbling. To reconvert the fragile products of decomposition to copper in the form of the original sheet by any means employing heat seemed—at any rate to the writer—to be utterly impracticable, while the form and composition of the remaining material would rule out electrolytic methods. The range of by-products, the contamination by foreign matter, the obvious adhesions and bondings, the extremely complex forms and dispositions involved, seemed to present a quite impossible barrier to success by any such methods.

The remaining possibility seemed to be to detach the material piece by piece, and it was at this stage that the writer, by a coincidence as strange as that of the wandering goat which led to the discovery of Cave No. 1, came to be asked first for advice and then for help.

In the following notes the story of the scrolls will be given in a factual rather than a sequential order.

It was entirely through a chance conversation in a local train that the writer was asked, as an engineer, if it was possible to

cut pieces from old and brittle bronze, and gave his opinion that the cutting itself should present no special difficulty if fragmentation were prevented by the application to the exposed surfaces of one of the modern adhesives, which should form a tough and resilient backing having considerable powers of penetrating the interstices of the corroded material. A few weeks later even the theory of probability seemed to fade when the Director of Antiquities from Jordan placed the scroll upon his desk in Manchester.

A careful examination of broken fragments of the scroll both under the microscope and by metallurgical methods, shows that though the original metal was copper with about 1 per cent. of tin—presumably a naturally impure copper—the material has undergone a complete change. A freshly broken surface shows a highly crystalline mass of a brilliantly red colour (cuprous oxide) and conveys the impression that inter-crystalline corrosion of the base metal has occurred at an early stage though the material is still compact and hard. Some samples examined show no trace of metallic copper at all, though very small quantities were seen in one fragment. Numerous brown bands lying parallel to the surface represent slag-inclusions, like those in wrought iron, formed during the forging process, and these in some places have produced a markedly foliated structure, with occasional breaking of the surface.

A distinctive film of a dark brown colour covers what is now the base material, and is in turn covered with a strongly adhering layer of some highly crystalline substance which is a yellow-green shade—mainly copper oxychloride and silica, with some calcium carbonate in the crevices. Where this layer is fairly thick the outer portions tend to be in the form of a powder which can be removed by the use of a stiff brush. The same product is also present below foliations which have broken the surface and which have therefore been subject to attack from both sides. Where two surfaces have been in close contact the material has formed a bond, making separation difficult, and a number of small pieces had already been detached from their positions and become bonded to an adjacent sheet before opening was commenced. In most cases the area of bonding

was confined to the crests of the embossing on the back of the sheets, but in a few cases intense bonding has had to be overcome over fairly large areas, and in these regions the body material seems to have deteriorated far more than in places free from contact. A thick layer of relatively soft material of an intense blue-green colour was found in a number of places on the larger scroll, sometimes overlaying pockets of a crisp black substance resembling charcoal.¹

The extremely fine compacted powder of stone-dust which completely filled the interstices of the scroll could usually, when accessible, be removed by brushing, but in some places, apparently in the presence of moisture, had formed an intensely hard stony layer which instantly blunted a steel tool and could only be removed by grinding or by prising the separate grains apart. In some places this matter formed a rough layer intensely bonded to the body material of the scrolls and sometimes locked areas of contact; at others it had the appearance of loosely attached stone droplets, or of a stalactitic incrustation covering thick layers of the green matter.

The thickness and mechanical strength of the scroll material varied considerably, generally being adequate to permit very careful handling, but there were many cracks running round and across the scrolls. In other places, notably in the region where the larger scroll already showed very marked damage, the material was intensely fragile, breaking into tiny fragments at the slightest touch, and very much care was needed to identify and replace them. Looking back at the now completed task and at the remaining tiny pile of unidentified pieces—nearly all devoid of any signs of lettering—one can only be deeply thankful that the original damage has been so very little augmented by the process of opening and cleaning. The general appearance of Scroll 2 is shown in Plate 1.

To allow free manipulation of the scroll without direct handling, it was decided to mount it upon an axle running approximately through its centre. It was found that a light tube of aluminium, $\frac{1}{6}$ in. diameter with a serrated end, or a

¹ The writer is indebted to Dr. N. P. Inglis of Messrs. I.C.I., Metals Division, for the analysis of the material.

stiff wire, would readily serve to remove the packed dust at the core. In the case of the simpler scroll, a little irregular resistance to penetration was offered by a few small stones, and it is possible that the innermost edge of the scroll, which was subsequently found to have been folded very irregularly, was chipped, but no recognizable fragments were seen, and the damaged area proved to be unlettered. A steel axle $\frac{5}{16}$ in. diameter was then held in a vertical position and the scroll lowered over it till the strongest end rested against a rubber-covered flange. Dry dental plaster was rammed gently round the axle, which was thus gripped firmly in the scroll, and plaster was also pressed gently between the convolutions to give full support to the delicate exposed edges. A cap of moistened plaster was applied, both to keep the dry powder in place, and to bed a small wooden disc which served to register a graduated guard disc rather larger in diameter than the scroll. After the scroll diameter had been appreciably reduced the graduated disc could be removed during the process of sawing. The filling and sealing processes were then repeated at the other end, and a second guard ring fitted.

The scroll was thus held rigidly on the axis between two guard-discs, so that it could be laid on a table without fear of damage, and, owing to natural eccentricity, would not roll. At one end of the axle a circular brass clamping plate was added so that, when supported at the ends in a small cradle, any required angular setting could be maintained.

It was obvious that before any attempts were made to cut the scroll the exposed surfaces—which fortunately represented the back of the plaque—should be stiffened and bonded by painting with an appropriate adhesive, after washing the exposed surface with acetone to remove an earlier dressing of cellulose. “Araldite 102”, to which has been added 7 per cent. of Araldite hardener 951, and a small quantity of Toluene to assist penetration, has proved so satisfactory that other substances which were made available were not tested. After the application the scroll was warmed to 40 -50 C. for a period in excess of three hours. Except in very few cases this backing prevented the detachment of fragments and enabled the treated pieces to be handled freely and cleaned with complete safety. It was also found that

"Durofix" adhesive, which is not soluble in Toluene, could be used for the attachment of untreated fragments, or for the repairing of cracks, without the risk that the parts would subsequently be loosened on the application of the backing solution.

The treatment with Araldite was repeated as each new surface was exposed and brushed. Any repairs or stiffening with strips of perspex were carried out using Durofix, later reinforced with a second coat of Araldite.

The scroll material could be cut readily by a saw of high speed steel, the cutting edges remaining sufficiently sharp to allow a very light cutting pressure for about three complete cuts. When the stony deposit was touched, however, the edge of the saw was lost immediately. Standard commercial "slitting saws" $1\frac{3}{4}$ in. in diameter and 0.006 in. thick were used and gave an extremely clean cut, removing a negligible amount of material.

In the specially constructed sawing machine shown in Plate 2 the saw revolves at one end of a swinging arm, supported by a spring and pivoted above the scroll, so that the saw, while running, may be raised and lowered by light finger pressure.

The cradle carrying the scroll upon its axle was mounted upon a geometric slide beneath the saw, a knurled extension of one of the slide wheels, twisted gently in the finger and thumb, serving to supply the necessary traverse. The cradle could be offset or swivelled in relation to the saw, thus permitting the scroll to be carefully positioned to ensure the cut being in the best possible position with reference to the embossing and the general form of the piece to be removed.

A complete cut could be made in from $2\frac{1}{2}$ to 10 minutes, using a small fan-blower to clear the sawing dust, and a fixed magnifying glass to give the operator a clear image of the cutting process. In operation it was possible to "feel" at once when the saw had passed through the "metal", and so prevent damage being done to underlying layers. In all but two cuts a single straight traverse was made.

In general the exact line of cut was chosen to provide the largest pieces which could be lifted clear, and to pass between the letters if possible. Where the cutting of a letter was inevitable this was done at right angles to and near the centre of



PLATE 1.—Scroll No. 2 showing general form, riveted joints, adhesions
and an indication of the lettering.

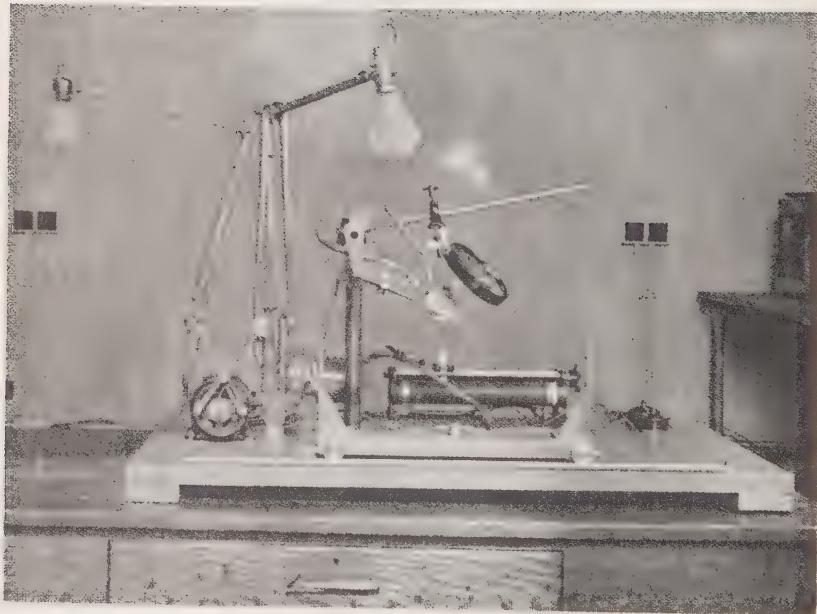


PLATE 2.—The Sawing Machine.



PLATE 3.—Loosening one of the last segments.



PLATE 4.—The Scroll sections lying in the uncompleted show-case
with a scale model of Scroll 2 behind.

the lines cut, so that the form of the complete letter could be traced clearly when the two adjoining segments of scroll were replaced close together. It is believed that no letter has been made unrecognizable by the sawing.

In a number of cases it was found possible to cut the scroll in the unlettered spaces which were found to occur regularly between columns of writing, while in a very few cases the position was determined in relation to suspected lines of adhesion or a sharp fold in the material.

After sawing, the carriage, with the scroll in position, was transferred and clamped to a table by means of a central vertical screw which, in combination with the rotating and clamping arrangements for the axis, enabled the scroll to be placed in any position convenient for the next operation. This consisted of the loosening and removal of the dust beneath the layer to be detached, usually by means of a soft brush or a probe of perspex or sheet tin, as shown in Plate 3.

During this and other dusting operations the very fine mineral dust, which was always accompanied by a considerable proportion of copper salts, was drawn away from the operator by a suction fan discharging into a vacuum cleaner bag, the operator finding the dust highly irritant to nose, eyes and chest.

In many cases the segment could then be lifted at once, and when small adhesions only were present a gentle rocking served to break them down. In the more compact scroll, however, and especially towards the centre where the convolutions were markedly elliptical, the adhesions covered considerable areas, and long and broad adhesions of great strength had been accompanied by almost complete rotting of one of the mating surfaces. Where such conditions were anticipated it was found best to arrange a cut to coincide with the line of bonding, so giving immediate access to the binding material. One such adhesion could only be broken down by removing the upper layer in pieces, but in this case in particular the Araldite coating proved invaluable, and the cleaning and re-assembly of the pieces, though very laborious, was accomplished with only a trifling loss of letters. As far as can be judged after the completion of the work, any other method than that of backing

and sawing would have resulted in reducing the whole of the sheets to little more than powder.

To reduce the significance of accidents, and to assist in the preparation of a transcription, photographic records were made at each stage, first of the outer surface of the original scroll and then of each surface exposed. Photographs of the hollow curved surfaces were made from several directions, each to give a fair reproduction of the lettering on a strip of surface at right angles to the axis of the lens, and from a fixed distance. Considering the very irregular surface conditions, this presented considerable difficulty. Better photographs for certain details could have been obtained, but in view of the very large number of photographs involved and the purpose for which they were intended the results have proved satisfactory. They were not intended for the making of direct readings as an alternative to the transcription to be described.

All photographs of the exterior of the scroll showed the indexing disc from which the angular positions were transferred to the edge of the scroll in white paint, along with a letter corresponding to the convolution. The positions were also marked on paper strips attached to the segments so that the ends projected and were visible on photographs showing the lettered faces of the segments. This indexing proved invaluable when identifying and arranging the many photographs required in the preparation of the transcription.

After lifting a segment the mineral dust could be loosened very readily with a tooth-brush, after which the loose yellow-green dust could be swept off with a nylon dental brush using the standard dental equipment of foot-controlled motor, flexible drive and hand-piece. Except where adhesions, etc., were present, this treatment left a bright green skin, smooth though very far from uniform, with the depressions of the lettering very clear and distinct. Normal decomposition products, when present in greater thickness, could be removed using a dental burr, and burrs rotated at an extremely slow speed were also successful in breaking down the stony matter, the cutting edges entering like wedges between the granules and prising them apart.

Using a very small burr and a powerful magnifying glass it was possible gradually to remove excessive deposits, judging the stage reached from the colour of the dust.

Owing to the method of forming the letters the strokes appeared as valleys between rounded hills, with an appreciable thickness of fairly soft yellow-green deposit in the actual tool mark at the bottom. During the removal of the thicker deposits the hill tops were the first to be disclosed. Passing the burr backwards and forwards at right angles to suspected valleys these were disclosed and deepened without in any way biasing the tool, the sideways travel becoming shorter and shorter till the cutter centred itself in the groove made by the punch and then guided itself easily along the lines of the letter. Towards the last stages the letter form would generally become obvious through a change in colour of the deposit. This technique was valuable as the burr was not given any deliberate guidance as to the whereabouts and direction of the lines, and, very rapidly losing the keenness of its cutting edges, would not touch the copper-coloured base material, though it still easily threw out the softer deposits. The curved surfaces adjacent to the letter lines are characteristic of the method of lettering, and could be used to identify surface irregularities due to lettering from those due to corrosion, cracks and other defects. Except where broken by serious foliation and the interpenetration of secondary corrosion—a fairly common fault—or where disrupted through heavy bonding, it can be claimed that the surface of the base material has been left virtually intact. In a few cases further exploration may possibly reveal other details, but it is doubted whether much has been missed. Certainly almost nothing has been destroyed.

After completion of the work in Manchester the inner faces of the sections were washed with perspex solution to seal the surfaces and prevent further corrosion.

The direct reading of the scroll would be a very tedious matter, partly because the surface is much marked by creases and other irregularities which attracted the eye away from the lettering, partly because of the curvature of the sections which gives differing lighting effects—and also because one line of

script might well extend over two or three segments which would therefore have to be considered in juxtaposition.

Sections of the photographs of the lettering were therefore marked in such a way that the complete inner surface was represented by a series of longitudinal strips selected as showing the lettering to the best advantage. The lettering on each strip was then picked out in white ink and traced, after which the tracings were reversed and projected onto white card using a special epidiascope giving a magnification of about $2\frac{1}{2}$ times, the letters, scroll edging, etc., being copied in pencil.

The pencil script was then compared and corrected in detail with the actual scroll, and independently checked, further cleaning being carried out in places of difficulty. The final pencil draft was then inked and photographed, and it is from these photographs, further checked against the scroll sections if necessary, that the translation is being prepared.

It is very satisfactory to find that of the 3000 symbols used on the plaque only 5 per cent. are missing, and in all cases the loss is due to damage sustained prior to the attempt at opening. Only 2 per cent. of the remaining symbols have been marked as doubtful, and further cleaning may possibly reduce the number.

General Comments on the Scrolls

A number of matters of interest arise from a general examination of the scrolls.

The plaque has only been pierced once in a manner which might have enabled it to be "hung up", and this is at the edge opposite the centre of the first column of writing, where a hole about $\frac{1}{4}$ in. square is surrounded by an area showing considerable distortion, as though stretched by a taper peg driven from the face. If supported in this way, however, the lines of script would have appeared vertically instead of horizontally. This "peg hole" may have been used to hold the metal onto the scribe's table.

The first turn of the smaller scroll is not only flattened but is bent as by pressure of the thumbs of one attempting the operation in a hurry or having little skill, and the first turn of the larger is sadly elliptical and shows a bad kink where the soft unlettered margin adjoins the stiffer lettered area.

In general the lettering of the scrolls has been clumsily performed. The small straight punch has sometimes been much too long to give the shape of the curves without the appearance of undesirable tangent lines; in many cases the punch has made a number of separate and rather random impressions instead of being allowed to follow and extend an impression already made, and the blows seem to have been of very varying intensity. If a wooden base had been used the presence of knots may have caused irregularities.

Though succeeding rows of letters start in good alignment and are generally of equal length, they have not been carefully laid out, as is characteristic of the lettering on the leather scrolls. Some lines are inclined, and one, starting too high, has been bent sharply downward to prevent interference with symbols in the line above.

Many of the letters are slightly incomplete, others are set at a random angle. When the scribe has found himself running short of space towards the foot of a column, he has crowded the letters and reduced their size, and as he started the last column, the possible shortage of writing surface seems to have “got on his nerves” and he appears to have overcrowded the lettering only to find that in the end he had about one-third of a column to spare. The sizes of the letters vary within the range of 5 : 1. A few additions have been made, presumably to correct spelling mistakes.

Until the scholars have completed the task now laid open to them, speculation about the scrolls would be very largely futile, and we must await their report with patience. The scrolls still hold their mystery, but at last there is good hope that it may be solved.

Plate 4 shows the scroll sections lying in sequence in the frame which, on completion, is to be used for their exhibition in the Museum in Jordan, with a scale model of Scroll No. 2 shown for comparison in the background.

Epilogue

As the draft of the above report was being completed a letter arrived from the Director of Antiquities suggesting that Manchester should release the first news of the contents of the bronze scrolls.

The authorised statement released on 1 June reads as follows :

The inscribed copper rolls from the Dead Sea Caves which were recently opened on behalf of the Jordan Department of Antiquities by the College of Technology, Manchester University, have now been studied and a preliminary translation made by Abbé Milik, working in the Palestine Archaeological Museum, Jerusalem. They contain, most surprisingly, a collection of traditions about the hiding place of ancient treasure, altogether about sixty hoards being described. The treasure consists of gold and silver, measured in talents, boxes of incense and so on, and the area referred to ranges from Hebron to Mount Gerizim near Nablus, though most of them appear to be in the vicinity of Jerusalem. The exact localities are, of course, difficult to identify nowadays, as the topography of the country has changed considerably since the 1st century A.D. The following brief extracts show the nature of the document :

In the cistern which is below the rampart, on the east side, in a place hollowed out of the rock ; six hundred bars of silver . . .

. . . Close by, below the southern corner of the portico at Zadok's tomb, and underneath the pilaster in the exedras, a vessel of incense in pine wood and a vessel of incense in cassia wood . . .

. . . In the pit nearby towards the north, near the graves, in a hole opening to the north, there is a copy of this book, with explanations, measurements and all details.

It is difficult to understand why the Essenes should be so concerned with stories of hidden treasure, and particularly why they should consider them worth engraving on copper, an expensive metal in those days. Curious, too, is the statement contained in the last paragraph that there is a second copy of this book with explanations, which latter we should very much like to have. One is reminded of the account in Josephus of how Hyrcanus I and Herod the Great opened the tomb of King David and removed treasure from it, and there are similar modern guides to hidden treasure, particularly in Arabic.

The total amount of gold and silver listed amounts to nearly 200 tons, obviously a fantastic figure, and coupled with the depth at which some of the hoards are alleged to lie—16 to 18 feet—makes one doubt the authenticity of the stories. However, it is the first ancient document of its kind—a guide to treasure trove—ever to be found, and it is also the earliest known text in colloquial, Mishnaic Hebrew.

The Jordan Department of Antiquities is greatly indebted to the Principal and Governors of the College of Technology of Manchester University for allowing the opening of these rolls to be done there free of charge, and to Professor Wright Baker for his ingenuity and patience in carrying out the work. Also to the British Council for granting a bursary to our Technical Assistant, Mr. Mohamed Saleh, to work with Professor Wright Baker and study the technique employed.

The present writer would, in turn, express his own thanks and the thanks of those who have worked with him, for the opportunity so unexpectedly provided to play a part in an investigation of such extraordinary interest. Their greetings and best wishes go out to those who are continuing the great work.

LADY MARY WORTLEY MONTAGU AS A FRIEND OF CONTINENTAL WRITERS

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DURING her full and varied life, Lady Mary Wortley Montagu engaged in friendships with a number of continental writers, French and Italian. Her activity in this respect illuminates both her biography and her intellectual *milieu*. Born a year after the Glorious Revolution, she came into prominence at the court of George I, where she entered upon her career as a cosmopolite. She enhanced it further when she accompanied her husband in 1716 on his two-year embassy to Turkey, for she observed the other courts of Europe and the exotic culture of Islam. In 1739 she left England again, this time alone, and passed the next twenty-two years in France and Italy, returning to England in 1762 to die. Throughout her entire life her broad literary interests and energetic ambition impelled her to seek more solid satisfactions than most women of her time and social class. She was thus a pioneer feminist, and in fact won the friendship and admiration of Mary Astell. Collaborating and competing with men of letters stimulated her mind and her pen; and through her personality and her writings she achieved recognition from them as a wit and as an expert practitioner of their craft.

Her earliest cosmopolitan friend was the Abbé Antonio Conti, a versatile man of letters, occupied with mathematics, philosophy, and poetry. In 1715, when he journeyed to London to witness the great eclipse of 22 April, he met other *savants*, Isaac Newton among them. He was elected a Fellow of the Royal Society; and he attended the Court at St. James's, where he conversed with Caroline Princess of Wales, who was an enthusiastic student of philosophy and science, and where he frequently supped with

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the King. He also met Lady Mary, already prominent as an ambitious and clever figure at Court. By the time she left England the following year to accompany her husband on his embassy, she had evidently been stimulated by the Abbé's warm and subtle wit to compose her brief French essay "Carabosse", and to address it to him by name.¹

Her essay is actually an imitation of one of Charles Perrault's most popular fairy tales. The *contes de fées*, which today are relegated to the nursery, were in great vogue among French sophisticates at the end of the seventeenth century and on into the eighteenth. They were improvised, related, and printed by fashionable ladies of wit. As Andrew Lang puts it: " *Esprit raged assiduously through the narratives* ".² The actual persons and historical circumstances frequently introduced by their authors added another attraction to the deceptively ingenuous tales. Yet, curiously, the record of their popularity in England is scant. In his *Journal to Stella*, Swift wrote (on 29 January 1712): " I borrowed one or two idle books of *Contes de Fées* [by Madame d'Aulnoy], and have been reading them these two days, although I have much business upon my hands."³

In her personal library, Lady Mary owned the 1708 edition of Perrault's tales; and from this collection she chose the one about the sleeping beauty, " *La Belle au Bois Dormant* ", as her model for " Carabosse ". The climax of her imitation comes when the good fairies award their beneficent gifts to the infant princess, and each gift in turn is nullified by the malevolent Carabosse. When the infant is awarded a noble and touching beauty, Carabosse decrees that she shall lose her beauty by smallpox at the age when she begins to feel its advantages. (Lady Mary actually suffered this at the end of December 1715.) When she is awarded superlative virtues of intellect, Carabosse orders that it shall attract enemies and make her the prey of

¹ Printed in her *Letters and Works*, ed. Lord Wharncliffe, 3rd edn. revised by W. Moy Thomas (1861), ii. 419-20. (Hereafter referred to as *Letters*.) A thorough study of " Carabosse " is given in my article in *Comparative Literature*, iii (1951), 174-7.

² *Perrault's Popular Tales* (1888), pp. xxix-xxx. See also Mary E. Storer, *La Mode des Contes de Fées (1685-1700) . . .* (1928).

³ Ed. Harold Williams (1948), p. 475.

fools. The riches of her father and husband—shall not be at her disposal ; her excellent health—shall make her undertake dangerous enterprises ; her ear and taste for music—shall remove her power to sing, leaving her with the rage of desire without the capacity to satisfy it ; and finally, her freedom from vice, misfortune, seeds of envy, and avarice—shall be cancelled by *un grand fonds de tendresse*. . . . It is obvious that the alternation of blessings with curses was Lady Mary's device for clever antitheses and (in part) for self-flattery. In her brief imitation—for she used only the beginning of Perrault's *conte*—she achieved a witty personal essay.

On her journey to Constantinople she did not forget the Abbé Conti. Of the fifty-two Embassy Letters which she later compiled, and which were drawn from her diary and from actual letters, six long letters are addressed to him. They are among her most brilliant virtuoso performances, discoursing on subjects which appealed to him : the strange sights, the antiquities and pageantry, and the customs and religion of the Mohammedans. On her way home through the Mediterranean, she annotated the Classical landscape for him ; and in Dover, after having travelled through Italy and France, she confided to him her patriotic sentiments on returning to English soil. Besides these "compiled" letters, there survives one of her actual letters to Conti ; it was printed in 1719 without her authority, and exhibits the same fascinating content and clever tone as her other letters to him.¹ All of these were no doubt her attempt to retain his admiration for her fluent talent.

Many years later, in 1739, when he had retired to Venice and she arrived there, they renewed their friendship. "My house is properly a meeting of Literati", she wrote to her husband, adding that the Abbé Conti never failed to visit her.² She allowed him to read her long French essay, *Sur la Maxime de M. de Rochefoucault, Qu'il y a des Marriages Commodes, Mais Point de Délicieux*, in which she resolutely opposed the moralist's

¹ An additional letter printed in 1767 (*Letters*, i. 264-7) is probably spurious.

² 21 January 1740, George Paston [Emily Morse Symonds], *Lady Mary Wortley Montagu and Her Times*, 2nd edn. (1907), p. 375. (Hereafter referred to as Paston.)

cynical point of view, though she realistically conceded that ideal marriages were very rare. Conti paid her the compliment of turning her graceful prose into Italian verse. He also translated several of her English poems, and with the highest praise (for the benefit of his own countrywomen): *Le nostre Poetessee Italiane dovrebbero proporsi tale Poesie per modello.*¹

On their way to Turkey (in 1716) the Wortley Montagus paused in Vienna, and there Lady Mary became acquainted with Jean-Baptiste Rousseau, the French playwright and satirist. Banished from France for his controversial writing, he basked in the generous patronage of Prince Eugene of Savoy, commander of the Imperial army. Lady Mary boasted of meeting Rousseau when she wrote to Alexander Pope, at that time her ardent admirer; and Pope turned it into a graceful compliment: "By what I have seen of Mons. Rousseau's Works, I should envy you his conversation. But I am sure I envy him yours."² For several weeks, while Wortley conducted his diplomatic discussions in the capital, Lady Mary improved her acquaintance with the French poet. He visited London in 1723, when they may have met again. In 1726, while he was living in Brussels, he sent her at least two flattering letters. In the second he told her of a mutual friend: "M. le Duc d'Aremberg part dans cinq ou six jours pour Paris, où il voudrait que vous fussiez encore Ambassadrice."³ Her rank as ambassadress had opened many exalted doors to her, as can be read in the Embassy Letters; but her literary interests and abilities won her the friendship of men of letters.

One of the Abbé Conti's friends in Paris was Toussaint Rémond de Saint-Mard, brother of the mathematician, and in his own right an active *littérateur*.⁴ The five volumes of his

¹ Conti, *Prose e Poesie*, ii (1756), 309. Her essay is printed with her *Letters*, ii. 421-8.

² *Correspondence*, ed. George Sherburn (1956), i. 385.

³ 25 February, 6 July 1726, Wortley MSS. iv. 235-8. (Quoted by permission of the Earl of Harrowby.) Unless otherwise stated, all quotations from manuscript are normalized.

⁴ The full story of his friendship with Lady Mary is told in my forthcoming book, *The Life of Lady Mary Wortley Montagu* (Clarendon Press, 1956), ch. vi-vii *passim*.

Oeuvres (Amsterdam, 1749) contain a variety of current literary forms : dialogues of gods, literary and philosophical disquisitions, a prose romance, and a poem entitled "La Sagesse". He is dissected by the Duc de Saint-Simon as an intriguing fool, with a great deal of esprit but with even more impudence, conceit, and contempt for others. " Il se piquait de tout savoir, prose, poésie, philosophie, histoire, même galanterie ; ce qui lui procura force ridicules aventures et brocards. Ce qu'il sut le mieux fut de tâcher de faire fortune, pour quoi tous moyens lui furent bons."¹ When Conti showed Rémond one of Lady Mary's letters, the Frenchman was ravished by it. On 20 April 1718 he addressed a letter to her in Constantinople. " Si vous aimez les choses extraordinaires, cette lettre ne vous déplaira pas. Je n'ai jamais eu l'honneur de vous voir, et vraisemblablement je ne l'aurai jamais ; cependant je vous écris sans pouvoir m'en empêcher. M. l'Abbé C., qui est particulièrement de mes amis, m'a confié une lettre que vous lui avez écrite de Constantinople. Je l'ai lu, je l'ai relu cent fois, je l'ai copié et je ne la quitte ni jour ni nuit. Jugez ma vanité : sur cette seule lettre j'ai cru connaître la singularité de votre caractère et les agréments infinis de votre esprit." Thus they began their epistolary friendship, of which only his side of the correspondence survives. They met briefly that summer, when Lady Mary and her husband stayed in Paris for about two weeks on their way home. As they resumed their correspondence, Lady Mary tried to restrict it to literary matters. But Rémond wished to play the romantic gallant. " Votre écrit est très spirituel ", he scolded her, " mais ce n'est pas une lettre. Je suis fort baissé auprès de vous. La singularité de l'impression que vous avez faite sur mon âme ne vous amuse plus, et vous êtes déjà rebutée d'un commerce de quelques mois qui sont des siècles pour vous. Il faut donc faire taire l'amant et que le pédant réponde à votre dissertation." True to his threat, he continued : " Je crois l'anglais une fort belle langue. C'est, dit on, la fleur des huit ou dix plus belles langues du nord ; mais à vous dire le vrai, ce qui me l'a fait aimer, c'est que vous la parlez. Je voudrais pour la même raison

¹ *Mémoires Complets et Authentiques* (1840), xxxii. 266.

respirer l'air de Londres. On aime tout dans ce qu'on aime. Vos pièces de théâtre ont un grand mérite pour un paresseux comme moi ; on y apprend sans peine toute la vie d'un héros, et le conduisant d'âge en âge il semble qu'on ait passé sa vie avec lui." He continued with a disquisition on Greek and Roman rules of drama and of love, slyly inserting one sentence in English : "I love you, My Lady, at all my heart."¹

But in his aggressive friendship he was really less concerned with literature than with epistolary gallantry and with financial speculation (in the South Sea Bubble). When he travelled to England during the summer of 1720 he found Lady Mary inaccessible to his visits, and reluctant to advise him on his investments. He returned to Paris in the autumn, and at first wrote to her with pleasant urbanity (on 4 September) about his visit, with the admission : "Je sais que les dames Anglaises sont incapable d'amitié et d'amour."² But then because of his unfortunate investment their friendship took an unpleasant turn and ceased. Its most important literary consequence, probably, was that it later provided Pope with material for his attacks on Lady Mary.

The three men of letters so far discussed—Conti, Rousseau, and Rémond—were only literary minnows. But, as revealed in the Bagshawe Muniments in the John Rylands Library, Lady Mary had a curious encounter with Voltaire when he visited England. After his arrival in 1726 he zealously studied English. By the end of 1727 he had composed a brief prose piece entitled *Essay on Epic Poetry*, and he showed it to various literary people for their comments and corrections.³ One of them, Edward Young the poet, tried to explain the errors ; Voltaire's response was to laugh in his face.⁴ The preface to his published essay, however, was suitably modest. "It has the Appearance of too great a Presumption in a Traveller, who hath been but eighteen Months in England to attempt to write in a Language, which he cannot pronounce at all, and which he hardly understands in Conversation. . . ." In the last section

¹ Rémond to Lady Mary, Wortley MSS. iv. 212, 214.

² Ibid. 229-30.

³ *Oeuvres Complètes*, ed. L. Moland (1883-5), viii. 302-4, 352-60.

⁴ Joseph Spence, *Anecdotes* (1820), pp. 374-5.

of his essay he analysed Milton's *Paradise Lost*; and it was this section—as Lady Mary recalled twenty years later—which he showed her. He asked her opinion of it. After reading three or four pages of his manuscript, she told him that she did not believe he had written it; the English was too good to be by him and too poor to be by a distinguished person. She furthermore told him that it resembled several of his other works because it was so frightful.¹ If this interview actually took place—Lady Mary's recorded recollection is the only evidence—then Voltaire bore her no ill will, for he later expressed great admiration for her intellect, her verse, and her letters.²

Montesquieu, the other great French writer of the Enlightenment, also looked to England as a source of new ideas. In 1729 he began his two-year visit there. At some time during those years he met Lady Mary, for on 11 March 1731 he sent her a letter asking her to attend a benefit performance by Marie Sallé, the famous dancer.³ He had been particularly asked by Fontenelle to help Mlle. Sallé in London, where she had arrived after a disagreement with the director of the Paris opera. Her benefit performance (on 25 March) was successful, for she returned to Paris a short time later with a considerable sum of money.⁴ Lady Mary may have attended the performance for the sake of Montesquieu, whom she greatly admired. For many years she retained a lively respect for his great genius.

Italy sent its share of learned visitors to England. One of the most eminent was the Marquis Scipione Maffei, noted for his tragedy *Merope* (1705) and for his antiquarian researches. When Joseph Spence met him in Verona (in 1731) he regarded him as "one of the most eminent and learned men now in Italy" as well as "a mighty good man".⁵ In 1732 Maffei set out on his travels, going first to Paris and then passing four years

¹ James Caldwell to Montesquieu, 26 May 1746, Bagshawe Muniments, B 3/7/1, fol. 24. Voltaire's essay "was essentially his own composition" (Florence D. White, *Voltaire's Essay on Epic Poetry* (1915), p. 23).

² *Lettres Philosophiques* (1734), ed. G. Lanson (1909), i. 133-4; *Oeuvres Complètes*, xxxiv. 36-7; xxv. 163.

³ Wortley MSS. vi. 282-3.

⁴ Émile Dacier, *Une Danseuse . . . Mlle Sallé* (1909), pp. 61-71.

⁵ *Anecdotes*, pp. xix-xx.

in exploration of antiquities in the French provinces. About the middle of May 1736 he arrived in London, bringing many letters of introduction, Voltaire's among them. He was delighted with all that he saw there. He was particularly favoured by Lord Burlington, who cultivated dilettantes. Among other English collectors and virtuosos, he inspected what he could of the inscriptions collected by Lord Oxford, Sir Hans Sloane, Dr. Richard Mead, and William Sherard. Both the Royal Society and the Society of Antiquaries elected him to membership, and Oxford University awarded him the degree of doctor of laws. The range of his curiosity, like his energy, was great: at Wilton he inspected Lord Pembroke's more than three hundred marbles, at Twickenham he shook hands with Pope, and in Portsmouth, where Newton's niece received him, he reverently kissed the great man's reflecting telescope and prism.¹

On their Mediterranean journey home from Turkey the Wortley Montagus had gone ashore to see what Classical remains they could. Near the site of ancient Troy they had found an inscribed stone and ordered it taken aboard their ship.² In 1736 Maffei visited them in London to see the monument. Although he was then an old man, Lady Mary later recalled, he had "preserved his memory and senses in their first vigour".³ On his leaving England (in August) Maffei sent his impressions to a friend: "Quanto obbligo ho ai signori Inglesi, non vi posso dire le finezze che ne ho ricevute; più in un giorno che a Parigi in sei mesi."⁴ Lady Mary had helped make his stay so delightful; she had also gained his friendship. He returned to Verona, where he "erected himself a little empire" of genteel pastimes and intellectual instruction. After Lady Mary had herself retired to Brescia (in 1746) she received "many honourable invitations" from her old friend to join his circle.⁵

When Maffei had been awarded his degree at Oxford, one

¹ Antonio Spagnolo, "Scipione Maffei e il suo viaggio all'estero (1732-1736)", *Atti e Memorie dell'Accademia . . . di Verona*, iv, iii (1902-3), 335-7.

² *Letters*, i. 376.

³ *Ibid.* ii. 277. The stone was subsequently presented by Wortley to Trinity College, Cambridge.

⁴ Spagnolo, *op. cit.* 338.

⁵ To Lady Bute, 24 July 1755, *Letters*, ii. 277-9.

of his countrymen had been in the august assembly. Francesco Algarotti, born in Venice in 1712, was a colourful and versatile figure justifiably called by his biographer “un cosmopolite Italien”.¹ During the winter preceding his arrival in England he had stayed at Cirey with Voltaire and Madame du Châtelet, and studied with them the writings of Newton. He was actually composing a set of dialogues based on the *Optics*, in candid imitation of Fontenelle’s popular *Entretiens sur la pluralité des mondes*. By the beginning of April 1736 he reached London, where he was soon nominated to membership in the Royal Society and the Society of Antiquaries. Voltaire had given him an introduction to John Lord Hervey, who in turn introduced him to Lady Mary. The two English aristocrats, who already enjoyed in common literary and political tastes, found him attractive and sympathetic.² He read them his Italian dialogues on Newton; and they encouraged him, and helped him improve his command of English. At the beginning of September he left for Italy, where he wished to prepare his collection of dialogues for publication. It appeared in December of the following year (1737) as *Newtonianismo per le dame*. Lady Mary and Lord Hervey, when they received copies, lavished the most extravagant praise on it. “J’ai lu, j’ai relu, et je relirai votre livre”, she wrote to Algarotti. “Je trouverai toujours des beautés nouvelles; aucune des agréments m’échape.”³

She also praised it in verse, which she sent to him. Her couplets have been printed among his works, but never among hers.

Such various learning in this Work appears,
As seems the slow result of length of years;
Yet these dark Truths explain’d in such a way,
As only youth cou’d write a stile so gay.

¹ Ida F. Treat, *Un Cosmopolite Italien du XVIII^e Siècle Francesco Algarotti* (1913). Unless other sources are cited, the facts about Algarotti come from this study.

² The full story of their friendship is given in my *Life of Lady Mary* (1956), ch. xi-xii, xv *passim*.

³ 11 July [1738] O.S., Bodleian MS. Don., c. 56, fol. 22. Although I normalize the spelling, punctuation, and capitalization, I am not correcting Lady Mary’s frequently faulty grammar and syntax.

While life so short, and Art so long we mourn,
 Science in you appears not taught, but born.
 While Newton's deep Philosophy you tell,
 You show the pleasing gift to trifle well.

So Eden rose, as we in Moses find,
 (The only emblem of thy happy mind),
 Where ev'ry charm of ev'ry season meets,
 The Fruit of Autumn mix'd with vernal sweets.¹

By March 1739 the ambitious young Italian had returned to London to renew his friendships and pursue his advancement. He saw his book published in an English translation (by Elizabeth Carter); and he stayed with a succession of friends: Andrew Mitchell, Lord Hervey, and Lord Burlington. Then on Lord Baltimore's invitation to accompany him to St. Petersburg to attend the marriage of Princess Anne of Mecklenburg, he sailed from England in May. A few months later Lady Mary herself left England to begin her long retirement abroad. They met again when both were in Turin in the spring of 1741. By this time Algarotti had achieved some worldly success through his friendship with Frederick II of Prussia, who ennobled him as Count Algarotti and sent him on a secret diplomatic mission to the Court of Savoy in Turin. From there he returned to his Royal patron, while Lady Mary continued on her uneasy quest for a haven of retirement.

The following year she settled in Avignon. Toward the end of her four-year residence there she was reminded of a former cosmopolitan friendship through a curious new one. In April 1746, as a respite from the boredom of her lonely existence, she set out on a tour through Provence and Languedoc; and on her return (at the beginning of June) she sent her husband a résumé. "I have made a little journey (on the account of exercise) into the high Languedoc, and find my health much mended by it. I have seen Toulouse, Montpellier, and several other towns in my way, and met with great civilities everywhere. The Archbishops of Narbonne and Toulouse invited me to supper the first night of my arrival. It is impossible to travel unknown in France, there is such strict enquiry in every town of passage."²

¹ Algarotti, *Opere* (1764), i. 3-4.

² 3 June [1746], MS. in Pierpont Morgan Library.

Her colourless summary was a sort of façade ; for in Toulouse she met a young Irish gentleman whose testimony—as revealed in the Bagshawe Muniments—reveals far more of her flamboyant and intensely fascinating personality.

Sir James Caldwell, then about twenty-six years old, had attended Trinity College, Dublin, and in 1743 had gone abroad to further his education and fortunes.¹ He had gained the friendship of Montesquieu, who lived in Bordeaux, and was soon to issue *L'Esprit des Lois*. On 25 May 1746 Caldwell met Lady Mary, and spent an hour talking to her. The next day he sent his full observations to Montesquieu.² “ Il y a quelques jours que my Lady Mary Wortley Montagu est arrivée ici de Montpellier sans domestique en bateau de poste. C'est la dame la plus riche et la plus particulière de chez nous, et c'est la dame de l'Europe (comme tout le monde convient) qui a le génie le plus universel et le plus cultivé. Elle a donné au public plusieurs ouvrages très goûtsés mais en particulier le Progrès de la Poésie, qui est un chef-d'œuvre. Elle sait le grec et le latin, et parle toutes les langues modernes. Elle a resté un mois dans le Sérail du Grand Seigneur lorsque son mari y était ambassadeur.” One wonders whether Caldwell was repeating gossip he had picked up about the embassy and about her non-existent chef-d'œuvre or whether she had imposed on a gullible listener. She did show him her album of verse, and let him copy two poems.³ They spoke of Montesquieu too ; and Caldwell repeated her remarks : “ Elle a l'honneur de vous connaître, non seulement par réputation comme tout le monde, mais encore personnellement. Elle m'a prié de vous faire mille compliments de sa part. Elle a grand envie d'aller à Bordeaux (peut-être à pied) exprès pour vous voir. Elle m'a dit que vous n'avez pas seulement fait honneur à votre langue et à votre nation mais aussi à genre humain. J'ai été charmé de rencontre[r] cette dame la plus éclairée de l'Eurepe du même sentiment que moi.”

¹ F. Taylor in BULLETIN OF JOHN RYLANDS LIBRARY, xxxv (1952), 213-14.

² 26 May 1746, Bagshawe Muniments, B 3/7/1, fol. 24.

³ Now among the Bagshawe Muniments : “ Addressed to . . . 1736 ” (in *Letters*, ii. 504) and “ Lines Written under General Churchill's Picture ” (in *ibid.* 498, but actually by David Mallet).

At their first meeting, Lady Mary conversed with Caldwell for only an hour since she was engaged to sup with the Archbishop of Toulouse. During her subsequent meetings with him she confided more personal matters. Her residence in Avignon had become intolerable because of "the Jacobites, priests, and gamesters"; and, as she also told Wortley, she could neither settle in France because of the war nor go to Italy alone because of the dangerous journey.¹ The young Irish baronet was himself bound for Italy; and as he then informed an English acquaintance: "I am now determined to go to Italy, having made the party with Lady Mary Wortley Montagu".² At about the same time as he contemplated this journey, he met an Irish lady with her physician on their way to the baths of Barèges in the Pyrenees, and they persuaded him to accompany them. When he returned to Toulouse, he found that Lady Mary had already returned to Avignon. On her tour of the province, he reported to Montesquieu, she tried to find a town or village where she could remain for eight days without being overcome by ennui. "C'est que aux grands esprits comme aux vainqueurs," he concluded, "Unus non sufficit [sic] orbis."³

Disappointed to find that she had left Toulouse before his return, Caldwell sent her a gay letter about his Pyrenean tour and about his future plans. "I am off my intended schedule of going to Italy this autumn. As there is a likelihood that the peace will continue, and as I intend studying the language this winter, and lastly as I have lost a great part of the money intended for that journey at play, I should like retiring into a small town for part of this winter, and should choose none so soon as that where I might have the honour and pleasure of your Ladyship's company and conversation." He also told her that he had written to Montesquieu inquiring for "a person that would be proper to live in the house with as a companion." Crossing out

¹ Draft of letter from Caldwell to Lady Mary [July 1746], Bagshawe Muniments, B 3/15/104; Lady Mary to Wortley, 23 August 1746, *Letters*, ii. 148.

² Letters of introduction from Montesquieu and Count de Marans, February 1746, Bagshawe Muniments, B 3 6/1; Caldwell to Henry Belasys [n.d.]; also to Lady Clifford [n.d.], *ibid* B 3/7/1.

³ [ca. June 1746], *ibid.* B 3/6/1, fol. 19.

that phrase, he substituted : “ such a person as you spoke to me of at Toulouse ”, and continued : “ and find by his answer that he knows of none, Abbé Venuti that I mentioned to your Ladyship having got a benefice at Bordeaux.¹ If I have the good fortune to be in the town with your Ladyship this winter I shall do all in my power to be as agreeable and as useful to your Ladyship as I can. I must beg leave to copy that part of President Montesquieu’s letter that regards you as I think it very pretty and very just *que vous êtes etc.* ”² From Caldwell’s letter it would seem that after his brief but warm acquaintance with her, he had planned to accompany her into Italy, paying his own way. As an alternate plan, he had suggested that they settle in a French town, for which she would require a suitable companion like the abbé. But she carried out neither plan ; she merely remained in Avignon through most of the summer.

In her next place of retirement, the province of Brescia, where she lived from the autumn of 1746 to 1756, Lady Mary could not escape her reputation as a woman of letters. It proved an embarrassing one in her friendship with the learned Cardinal Angelo Maria Querini. Like other continental savants, he had gone on a Grand Tour—and also in a northerly direction—passing the years 1710 to 1714 on travels which took him to England, where he met theologians, Classical scholars, and the great Newton. In the last years of his life, when Lady Mary knew him, he lived in Brescia and devoted himself to good works, on which he expended his great fortune. He had founded a college for 100 scholars, and next to it a large public library. One of his chaplains called on Lady Mary one day with a request for her works, for he wished to place them conspicuously in the case devoted to English books. As Lady Mary related the incident to her daughter : “ I was struck dumb for some time with this astonishing request ; when I recovered my vexatious surprise (forseeing the consequence), I made answer, I was

¹ The Abbé Venuti, Italian savant and poet, was a friend of Montesquieu, who also tried to find employment for him (Montesquieu, *Correspondence*, ed. F. Gébelin and A. Morize (1914), i. 363-4).

² Draft, Caldwell to Lady Mary [July 1746]. He passed into Italy the following January (Bagshawe Muniments, B 3/7/1, 29 January 1747).

highly sensible of the honour designed me, but, upon my word, I had never printed a single line in my life. I was answered in a cold tone, his eminence could send for them to England, but they would be a long time coming, and with some hazard; and that he had flattered himself I would not refuse him such a favour, and I need not be ashamed of seeing my name in a collection where he admitted none but the most eminent authors. It was to no purpose to endeavour to convince him."¹ He left offended, as she knew the Cardinal would be. Although she had never printed anything under her name, she told her daughter—"having never aimed at the vanity of popular applause"—she confessed that since coming to Italy she had often been complimented on the books she had given the public.² The Cardinal's death, a year later, saddened her, for in spite of his vanity and love of ostentation she considered him "really a good natured and generous man".³ Lady Mary's denials to her daughter, the Countess of Bute, in which she expressed an aristocratic horror at being thought an authoress, were only her pose of conventionality, particularly since her daughter was a stringently conventional woman whose later actions show how much she disapproved of her mother's literary activity and reputation. But Lady Mary herself, in her friendships with literary men, evidently encouraged that reputation.

When Lady Mary gave up the provincial *douceurs* of Brescia (in 1756) to enjoy the more varied ones of Venice and Padua, she resumed her friendship with Count Algarotti. He had remained attached to Frederick's court until 1753 (except for the years 1742 to 1746, when he was employed by the King of Poland); he had then retired on account of ill health, and settled in the villa Mirabella, ten miles from Padua. But when Lady Mary arrived in Venice, in September 1756, he was living in Bologna.³ They resumed their correspondence, though unlike its earlier phase it was now more debonair in spirit and confined for the most part to literary matters. Evidently Algarotti had invited her to use his villa, and had sent her copies of several of his works

¹ 10 October [1754], *Letters*, ii. 240-2.

² To Lady Bute, 22 July 1754, 23 January 1755, *ibid.* 260-1, 272.

³ Treat, *Algarotti*, p. 195.

painted during the years they had been out of touch with each other. In her warm reply to him she wrote: "I gratefully accept your obliging offer of your delightful Mirabella, but am resolved to see it in full beauty, which it cannot be without the presence of the master. I received your *Iphigenia* and immediately returned my thanks for the pleasure it gave me. The *Essay on Painting* never came to my hands. . . . You should advise your Royal Patron [Frederick II] a mutare suoi pazzie heroice per la sapientia rustica, ed lasciare gli piaceri diaboliche dell' destructione per godere di quelli di paradiso nell gli diletti d'una giardino ornato di tutti les gracie della mano della Natura. Alcinous in Homero mi para più heroë che Achilles, certo e più amabile, comme la benevolentia e più degno che la crudelta. Quel example du vrai heroism? Si on pouvait voir un conquérant qui n'a jamais reçu d'échec mettre des bornes à ses triomphes et se retirer comme Dioclesian, mille fois plus grand dans sa retraite que dans son élévation! Vous voyez que j'imité Homère, au moins par un endroit, en écrivant d'un style composé des différent patois, car au bout du compte tous nos langues moderne non sono altro che vernaculi della Romana antiqua."¹

Although Algarotti informed her that he would not be at his villa, he cushioned his declination with some charming flattery. She gratefully acknowledged it: "Il faut avouer (Monsieur) que vous savez vous venger d'une manière fine, et vraiment apostolique. En rendant des bien faits pour des injures, vous désarmez vos enemis, et vous vous flattez (sans doute) d'attirer sur eux les feux du ciel. . . ."² In her letters to Algarotti during this period she strove, perhaps too energetically, to be a *bel esprit*.

His reply to this last letter, the only one of his to be preserved, was of sufficient dignity to be included in his collected works. "Da questa dotta città [Bologna] in cui sono io trasmetto un breve saggio sopra gli antichi e moderni a voi, Milady, che dimorando in Padova vi avete fermate le Muse." He continued with praise of her many writings and frequent journeys, and ended with a

¹ 30 December 1756, MS. owned by Sir John Murray. Since this is the only surviving example of Lady Mary's use of Italian I have not normalized its spelling.

² 19 February 1757, Bodleian MS. cited, fol. 40.

handsome compliment : " di quanto hanno scritto di migliore gli antichi avete fatto conserva nella mente ; e di quanto scrivere voi, Milady, fanno già tesoro i moderni. . . ." ¹ She accepted his compliments as sincere, and showed him the products of her literary imagination.

In the summer of 1758, probably, when she composed a short lyric entitled "A Hymn to the Moon", she sent it to him. It was printed among his works as a sample of her great talent, and prefaced with the comment : " Tiene ella nel Parnaso inglese un onoratissimo luogo." ² His flattery encouraged her to try to deserve it, and she sent him a strenuously clever letter. ". . . Vous voyez que je donne tête baissée dans tout les désordres du Carnaval. J'avoue que je ne suis plus en droit de me moquer des monarques qui dissipent leur trésors et diminuent leur sujets pour une fantôme d'ambition ; moi, qui dissipent ma santé et diminue le peu de jours qui me restent pour courir après une fantôme. . . ." She then set forth a paradox : pheasants and partridges are killed to serve man ; and while many men killed in war deserve the noose, the poor birds are completely innocent. " Est-il juste ", she asked, " de regarder avec horreur un champ de bataille jonché de corps morts, et avec joie un souper pour lequel on a fait un massacre de cents espèces différents ? Si j'étais d'humeur à écrire, je ferai un épître au nom de tous les animaux au plus grand guerrier du siècle pour l'encourager au carnage de ces tyrans qui s'imaginent d'être privilégié d'exerciser la cruauté le plus énorme." ³

" Si j'étais d'humeur à écrire. . . ." Apparently using her letter as a rough sketch, she wrote a brief, delightfully pointed fable. " Dans une belle journée de l'automne un dindon marchait à la tête de sa troupe avec autant de fierté qu'un consul romain à la tête du Sénat." The turkey advises his comrades to enjoy life as much as they can because the cruel tyrant man cuts their days short. As he invites them to enjoy a meal of some nearby ants, one of the insects speaks up : " Et vous barbare,

¹ 3 March 1757, Algarotti, *Opere* (1792-4), ix. 312-13.

² Ibid. vii. 79-81. Also in her *Letters*, ii 487-8.

³ Bodleian MS. cited, fols. 48-49. This probably refers to Frederick of Prussia's bloody victory of Rossbach, November 1757.

que vous plaignez de l'homme ! Vous croyez qu'il vous est permis de massacer tout un peuple pour un déjeuner ! Sachez que quand nous vous voyons plumé nous regardons cette main meurrière comme l'instrument de la juste vengeance de la désolation de notre race.”¹

When Algarotti again flattered her—perhaps for this fable—she acknowledged it with effusive thanks. “Vous me flattez, Monsieur, mais vous savez assaisonner la flatterie de tant des grâces, il est impossible de ne pas s'y plaire. Avouons la dette : l'humanité est pétrie de vanité ; nous sommes tous logés là, saints, héros, philosophes. La chère flatterie est notre nourriture favorite. Il n'y a qu'à savoir l'appréter pour la faire goûter. Vous possédez l'art de l'habiller légèrement d'y mettre un sel piquant. Vous le rendez si tendre, si délicat, je l'avale avidement, et je ne veux pas m'apercevoir que ma pauvre tête s'en trouve mal. Trop heureux ceux qui osent se flatter eux-mêmes ! J'ai vu une pièce de Voltaire où il s'encense de la plus belle manière. Avec quel feu chante-il ses propres louanges !

“Voilà, c'est que s'appelle un panégyrique sincère ? Chose presqu'unique—je me sens des tentations violents de l'imiter. L'imagination s'échauffe aisément quand on veut traiter de son propre mérite, mais hélas ! j'ai quelque lueur de sens commun qui me représente impitoyablement telle que je suis. Tout ce j'ai [sic] puis dire avec vérité, j'étais jeune sans coquetterie, affectation, ou étourderie ; je suis vieille sans humeur, superstition, ou médisance. Voici bien des négatives, misérable resource pour mon amour propre ! Je tâche de sauver ses droits en me persuadant que je suis moins sotte qu'une autre en voyant mes sottises au moment même que je m'y laisse entraîner. . . . On dit que le Pape est mort. Comme citoyenne du monde j'en suis au désespoir.”²

If she cleverly disparaged her own ability to flatter (even herself), she was well aware of Algarotti's frequently exercised talent. She confided her opinion of him to Sir John Steuart, a more sincere friend. “Algarotti is at Bologna, I believe,” she

¹ Wortley MSS. vii. 308-9. The same apologue had been used by John Gay for his 38th fable.

² 5 March 1758, Bodleian MS. cited, fols. 42-43.

wrote, "composing panegyrics on whoever is victor in this uncertain war."¹ In this remark about Algarotti's interest in the Seven Years' War and Frederick the Great she had proved herself to be as a good judge of his character. His former patron, whose panegyric he elaborated, regarded him with a mixed opinion at this time—as "a man of taste, of gentle mind, keen, shrewd, supple, but a great wheedler, and above all very selfish."²

Lady Mary had good reason to refer to herself as *citoyenne du monde*. Not only her extensive travels and long residence on the Continent had freed her from insularity; intellectually she had also travelled beyond the borders of her social class. Her varied friendships with four French and four Italian men of letters encompass various kinds of relationships, ranging from her staid acquaintance with the dignified Cardinal Querini to her romantic involvement with the versatile Algarotti.

These friendships, while important in her biography, also underline the fact that during the Enlightenment the countries of western Europe were free of cultural and intellectual barriers. Cultural historians of eighteenth-century England have emphasized the extent and effects of the Grand Tour on English taste. But the human traffic between England and the Continent flowed in the other direction as well. Foreign writers, savants, and dilettantes made their way to England to observe and learn what they could of science and politics. Or, even if they fled there to escape political oppression—as the Abbé Prevost did in 1728 and Jean Jacques Rousseau in 1766—they could not remain unaffected by its brisk intellectual climate. In spite of its political divisions Europe was thus a veritable republic of letters.

¹ 8 August 1759, *Letters*, ii. 366.

² Henry de Catt, *Frederick the Great*, trans. F. S. Flint (1916), i. 33.

JOHN OF ROQUETAILLADE¹

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I HOPE that the subject of this lecture, which you have so kindly asked me to give in the series commemorating Dr. Walter Seton's devotion to Franciscan history, is not too far remote from those that normally take place here. It is, none the less, a temerarious incursion into a field not usually trodden save by a handful of specialists. Yet medieval history cannot omit the study of *mirabilia*, a comprehensive word covering not only miracle but also many types of scientific discovery. Chemistry in the thirteenth and fourteenth centuries almost invariably represented itself as revealing marvels and secrets. Alchemical writers say "Lo, now I show you a great marvel" and proceed to describe what we should regard as an ordinary piece of distillation. Prophesying is similarly a revelation of things hidden. Both chemistry and prophecy may have dangerous consequences, but equally they may be completely respectable. Indeed, prognostication of various kinds was a universal pursuit during the early and later Middle Ages. Beginning with the Sibylline books which had their influence not only with the Greeks and Romans but with early Jews and Christians (especially the fifth Sibylline book), a large and varied body of vaticination descended to the high Middle Age, and was consulted very much as people consulted the stars. From the near and middle East came a number of prognostication books with titles and place names of Arabic origin which were eagerly seized upon and copied in the monasteries, giving an answer (if you used the tables right) to many day-to-day problems that occurred. "Shall I go out of doors (*extra domum*) today?" "Is this a favourable day to make a business agreement?" "Shall I go

¹ The Seton Memorial Lecture given at University College, London, in 1954.

out against my enemy (*exire super hostem*) today?" "Will it be a boy or a girl?" and so forth. Even Matthew Paris copied and illustrated one such book¹ for the monastery of St. Albans.

The habit of divination was almost like the crossword habit: there was nothing particularly reprehensible about it in an age of astrological medicine, a period when people believed in the inherent qualities or virtues of objects and in the possibility of transmuting one substance into another if the right means were applied. There was a large and legitimate field for conjecture, and if topical day-to-day questions were asked of the prophetic literature, the result might be diverting, at any rate harmless. There was also, as Nicholas of Oresme was careful to point out,² an illegitimate field which was the concern of the Inquisition, particularly in the course of the thirteenth century, and it is one from which the clergy had not been entirely exempt. Walter Langton, bishop of Coventry and Lichfield and Keeper of the Wardrobe, then Treasurer, under Edward I, had been accused of consulting demons as well as of murder, adultery and simony.³ Against Boniface VIII and the Templars of France charges of magic had been employed by Philip IV. The bishop of Troyes, whose real offence seems to have been that he had dared to support Boniface VIII, was accused of poisoning and trying to bewitch members of the French royal family, also of having practised alchemy. In 1304 when the wives of two sons of Philip IV were accused of adultery by their sister-in-law Isabella, wife of Edward II of England, a Dominican was said to have aided them by philtres. The number of such charges at the court of Pope John XXII may be a sign of the prevalence of magical practices and suspicions in society and thought at large. In 1318 John XXII directed the bishop of Fréjus and two other commissioners to investigate and punish the magical activities at the papal court of several clerics, including a physician and the barber of the archbishop of Lille. They were reputed to

¹ Bodleian Library, MS. Ashmole 304.

² "Livre de Divinacions" in G. W. Coopland, *Nicole Oresme and the Astrologers* (1952), pp. 50 f.

³ Dr. Lynn Thorndike, *A History of Magic and Experimental Science*, vol. iii (1934), ch. 2, cites a number of instances, some quoted below.

have engaged in necromancy, geomancy and other magic arts of which they possessed books, and to have employed images, mirrors, rings and incantations to invoke evil spirits to learn the future and to benefit or injure or even kill other men. John pronounced all such practices as they were charged with as diabolical. He was not unusually credulous about magic, but so many stories of criminal sorcery were in circulation that it was impossible for him to do nothing. At any rate the famous writer of the *Practica Inquisitionis*, Bernard Guy, had no doubt about the prevalence of such arts, since he included in his book a formula for the abjuration of sorcery, divination and the invocation of demons. The person charged who had admitted his crime and is prepared to do penance is to abjure all baptizing of images, all sorcery performed with the use of the Eucharist, with chrism or sacred oil, all divination or invocation of demons as well as the art of making images of lead or wax, and all condemned sorceries. Dr. Lynn Thorndike thinks it probable that members of the clergy figure so prominently in the magical practices of which John XXII took cognisance because he felt a special responsibility for, and exercised a special jurisdiction over, such cases, and not because clerical practitioners of magic were more numerous than lay offenders.¹ It may, indeed, have been because of the tendency during the struggle with the Mendicants to charge the Pope himself with heretical views and unusual practices. In 1326 or 1327 he had to issue a bull *Super illius specula* in which he grieved to note how many persons are Christians only in name, making a pact with hell, sacrificing to demons and fabricating images, rings, mirrors, phials and other magic devices to summon spirits and receive responses from them. This disease now prevails through the world more than usual and keeps infecting the flocks of Christians increasingly. To resist it the Pope decreed *ipso facto* excommunication against offenders and the legal penalties for heretics except confiscation of property. It may be that he felt that the Inquisition was not dealing effectively with such cases, for in 1330 he withdrew from the inquisitors of Toulouse and Carcassonne certain cases of

¹ *A History of Magic and Experimental Science*, vol. iii (1934), ch. 2, "John XXII and the Occult Arts".

magic arts which he had entrusted to them a decade before. John also had something to say to the alchemists who claimed to make artificial gold. The Pope decreed in the extravagant *De crimine falsi* that all who have been found concerned in the production of alchemical gold shall incur infamy and give to the poor in true gold as much as they have made of the false variety. The inquisitor Emeric writing against alchemists during the close of the fourteenth century states that the bull was the outcome of a conference to which John XXII had assembled as many natural scientists and alchemists as he could to determine whether the cult had any basis in nature. The alchemists answered "Yes". The natural scientists "No". Since the alchemists were unable to prove their contention the Pope issued his bull against them.

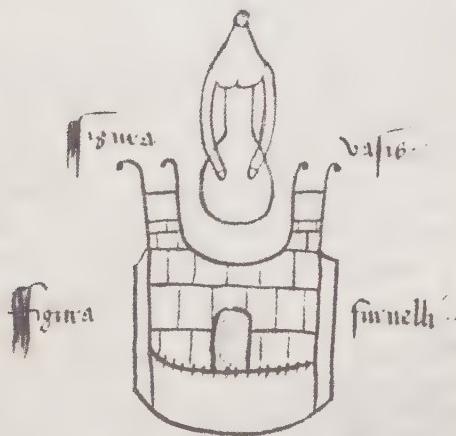
While looking through a little volume of fourteenth-fifteenth century medical treatises and receipts (e.g. for the *Prykking of the stomach*, for the *Sciatica passio*) contained in All Souls College MS. 81, I came across the diagram which is represented in the adjoining photograph. It was not a discovery, since John of Rupescissa, the author of the treatise in which it occurs, is well known to historians of science and appears in most of the standard histories, though this particular text is, as I shall show, of considerable interest. It was customary to regard John as a Catalan who came from Pertellada or Perelada in the Plain of Ampurdan, province of Gerona, which is today on the line from Perpignan to Barcelona. He himself, however, says that he was *oriundus de Castro Marolesii diocesis sancti Flori in Alvernia Gallicana*.¹ This locates him as a native of Marcolès, a little place a few kilometres south of Aurillac; though if he was not born in a place called Roquetaillade (Lat. Rupescissa), why is this his name? The question has led to a good deal of speculation and theory, discussed by Mme. Bignami-Odier in a recent book.² Writing to her in December 1946 M. Delmas, the head archivist of Cantal, professed to have discovered a village of Roques in

¹ Vatican Library, MS. Rossiano lat. 753, fol. 148v. The discovery is due to Mme. Bignami-Odier.

² *Études sur Jean de Roquetaillade (Johannes de Rupescissa)* (1952) ch., ii, "Légendes sur Jean de Roquetaillade". I am much indebted to this work.

dicando & sumando. Qui sit honor & gloria
et infinita seculorum secula. Amen.
Pro crea ens deum spesum quere in proprio
hunc tractatus ad tale f. g. m. o. o.

Explicit tractatus de qua euas.



omnes ridentes & sonantia

(Reproduced by kind permission of the Warden and Fellows)

All Souls College MS. 81, fol. 133 r.

the commune of Marcolès, which, given its rocky character, may be the origin of the form Roquetaillade, and the identification has been generally accepted. By his own account John was for five years (1315-20) a student of philosophy in the "flourishing academy" of Toulouse, where in 1332 he joined the Franciscan Order, and he spent, he tells us, another five years disputing *in pruritu philosophie* and lecturing in the subject, before he saw the light. He does not say if the early years were spent at Aurillac but he was certainly in the Franciscan convent there in 1340, and his revelations and prophesying may well date from that epoch. What we know of him relates almost entirely to his life in prison, and the works he composed there. In December 1344 the minister-general of Aquitaine, William Farmena, had him imprisoned at Figeac. From Figeac he was sent for to Avignon and incarcerated there in the *Carcer Soldani* by order of Clement VI in 1349. Froissart who had a high opinion of him said that he was put there because he prophesied against the Pope and against princes. He may have been let out for a time, for in the year 1351 the chronicler Henry Rebdorf says that "the Pope caused to be imprisoned a certain brother of the Minorites, a notable clerk (*sollempnem clerum*) and one well lettered and who prophesied many things to come about the orders of the mendicants and future Roman pontiffs and emperors and many other marvels". That he was released before this date seems possible from one of his treatises copied into Ashmole 1423, the prologue of which states that it was completed on 4 October 1350, and there is no mention of his captivity. But in 1356 he was again in prison at Avignon, not knowing whether he would be condemned to death. In his last two prophetic works he calls himself "pauper incarceratus" and in one says that he had been in prison for twenty years. This may be an exaggeration, though it is not far off the truth. In one section of his *Vade mecum in tribulacione* he says that he had been publicly foretelling the fearful things that should happen to France at the hands of the English, more than twenty years before the wars (the Anglo-French wars) began, but the people thought him foolish and out of his wits. He was writing then in 1349 but to a medieval Frenchman of that period, the war with

the English would, roughly speaking, appear to have begun with the Crécy campaign. If this is so, John must have been preaching from about 1325 onwards.

This takes one back to the pontificate of John XXII and to the period of acute controversy between that pontiff and the Franciscan Order over the poverty of Christ. In the Bull *Cum inter nonnullos* of November 1323 John made it heretical to assert that Christ and His apostles were not owners of the property which the scriptures expressly said that they possessed. When the struggle reached its fiercest stage and John XXII publicly broke with Michael of Cesena, John of Roquetaillade must have sided, like William of Ockham, with the humiliated General of the Order. In the fourteenth section of his *Vade mecum* John says that the reason why the tribulations which he foretold were to fall upon the Franciscan order was "because of the sin of the transgression of the rule". It was owing to this that God had permitted the scandal of the attack on evangelical poverty by the Preachers against the Friars Minor; and "the Friars Minor were forced to succumb because of the flight of Michael from the cunning of the Friars Preachers": a reference to the events of 9 April 1328 when John XXII publicly denounced Michael of Cesena, General of the Order. In his last works John gives the reason why, between 1360 and 1365, the religious orders and the mendicants in particular were to be afflicted by the heretical Emperor coming from the East and by what he calls the beast ascending from the sea. The Friars had transgressed the Rule, and significantly he quotes the words which God is purported to have said to St. Francis foretelling what would happen in that contingency. The reference John gives is the *Liber XII sociorum eius qui legenda vetus dicitur*. The XII is clearly a mis-copying by an inaccurate scribe of the number III and the reference here is to the first part of the Legend of the Three Companions, which, as Mr. Moorman has shown, is probably earlier than the first Life of Francis by Thomas of Celano.¹ If this is so, it puts the sympathies of John of Roquetaillade beyond doubt, if, indeed, any doubt existed about a man who consistently praises

¹ *Studies in Franciscan History and Legend* (1940), pp. 62-5.

the zealots of the Order. When he was interrogated on 10 August 1354 by Cardinal Guillaume Court and asked whether certain clerks who had been burnt for heresy in June 1354 were glorious martyrs or heretics condemned to eternal fire, he at first refused to reply, and then answered : " If you have handed them over to the secular arm out of hatred of evangelical poverty, and the decretal *Exiit*, the section *Porro*, then they are glorious martyrs in heaven ; but if they have mixed themselves up with errors and other heresies, if they have denied the Catholic faith and Holy Scriptures, they are heretics condemned to hell fire."¹

John was thus a spiritual, belonging in his early days to the party of Michael of Cesena, and, in general, to those who based themselves upon the letter as well as the spirit of St. Francis' instructions to the Order. There is therefore no wonder why he was imprisoned. If prophets were dangerous in the thirteenth century at the time of the abbot Joachim, when the wilder zealots of the Order were attaching themselves to the Emperor Frederick II, they were an even greater menace in the days when Louis of Bavaria was threatening the Avignonese papacy, especially if they were Franciscan zealots. As Miss Douie has pointed out, it is doubtful whether the spiritual party could have endured so valiantly the persecutions and ridicule to which they were subjected by their opponents without the certain conviction of the triumph of their ideals and the equally firm belief that they were the Order which would transform the world.² In this they had been sustained in the past by the revelations of Joachimism and by other prophecies : the most common subject of these collections was the character and deeds of the various popes, a visionary element being introduced after the writer had finished describing the events of his own age by speculation upon the fate of Christendom at the time of the expected coming of anti-Christ. It is easy to see the danger of such prognostications to the popes who supported the non-zealots. It was not the alchemy which led John into captivity : it was, as we shall see later, the " prophetic interpretation " of

¹ Bignami-Odier, p. 44.

² *The Nature and the Effect of the Heresy of the Fraticelli* (1932), ch. iii, "Angelo da Clareno", portrays this confidence.

the Holy Scriptures at a time when prophecy might easily become tendentious.

There is a fairly well authenticated tradition that John of Roquetaillade died in 1362. One author of very much later date, Nostradamus, says that he was burnt, but there is no confirmation of this. Considering the length of his prison life, he was not an unfertile author. The alchemical works that have survived are two: the "Book of Light or Mastery of the making of the true Philosopher's Stone", which is also called the "Book of Light and Tribulation"; this seems to have preceded the work for which he is best known, the *De consideratione quintae essentiae*. This book on the fifth essence is also confusingly termed *De famulatu philosophie ad theologiam*. The texts of it, as I shall show, vary considerably; some are with, and some without, the prologue, and later versions expand, sometimes misleadingly, the original as it was written. The prophetic texts are (i) the *Visiones seu revelationes*, written to Cardinal Guillaume Court, nephew of Benedict XII; (ii) the "Commentary on the oracle of St. Cyril" or alternatively "Commentary upon the prophesy of St. Cyril";¹ (iii) the *Liber secretorum eventuum* found only in a few manuscripts but known to Jean de Bel and Froissart. This contains very little that is not already said in the Commentary of St. Cyril, but it is shorter and more easy to read. It was finished 11 November 1349 in the Sultan's prison at Avignon and is also addressed to Cardinal Guillaume Court; (iv) the *Ostensor* written after 27 December 1356, of which the single manuscript is Vatican Library, Rossiano lat. 753; (v) the *Vade mecum in tribulacione* of the same year or immediately afterwards, which is found in a number of manuscripts, mostly in the Bibliothèque Nationale or in Munich. I shall omit detailed consideration of the Commentary on the Oracle of St. Cyril which I have not been able to read. There are other works which John himself names, but they seem irrecoverable.

Before Mme. Bignami-Odier wrote, Dr. Lynn Thorndike, who considered John to be a Catalan, had listed the manuscripts

¹ Bignami-Odier, pp. 53-112.

of the *Liber Lucis* and of the *De consideratione quinto essentie*.¹ He has made it clear that both of these tracts are undoubtedly the work of Roquetaillade. It is refreshing, when manuscript study has robbed his great Franciscan predecessor Roger Bacon of certain of the treatises formerly ascribed to him, to find it restoring to his successor what was formerly attributed to Bacon, Arnold de Villanova and Ramon Lull. John has therefore returned to his alchemical fame. With certain medieval Catalans, as Kopp has shown, he is in the van of iatro-chemical study : more than a forerunner of Paracelsus, and one of those who used his chemical experiments for a curative purpose.

In the Bibliothèque Nationale MS. 7151² of his tract on the fifth essence he excuses himself from revealing all his medical secrets :

because according to Catholic philosophers I would say in the words of Holy Scripture that to obey is better than sacrifice. Out of reverence for the statutes of our Order I will not reveal the marvellous medicines so highly desired by the world which would not only heal our bodies miraculously from all diseases, but would transmute imperfect metals into gold and silver in the flash of an eye. The truth of which mastery was by God's will revealed to me in the tribulations of prison.

The Paris manuscript continued :

No one can reach the highest points of art unless his mind is deified by contemplation and holy living, so that he not only knows all the interior things of nature but can transmute whatever nature is capable of being transmuted.

This sanctimonious utterance is not in the shorter version of the treatise on Quintessence, as represented by the All Souls College MS. 81, and throughout the treatise on Quintessence it is advisable to go back to the more primitive text which I believe this to represent. Thus in the Paris manuscript John withholds his information about medicines not only because of reverence for the statutes of his Order, but also out of obedience to ecclesiastical prelates. This last phrase is not in the All Souls text and its omission is much more in keeping with the author's independent character.

John's main concern is the creation of a transmuting agent and universal medicine. This is achieved not by dividing the

¹ *A History of Magic and Experimental Science*, iii, ch. 4, Appendix 22.

² Dr. Thorndike thinks Bibl. Nat. MS. 7151 '14th rather than 15th century.'

atom, but by separating the elements. Like all alchemists, John starts from the theory of the four elements, earth, air, fire and water. By their association in varied proportions these elements give rise to the various kinds of matter.¹ Earth, water and air typify the solid, liquid and gaseous states of aggregated matter ; fire typifies energy. The fire-water opposites are particularly important : for it was assumed that to reconcile them would furnish the Philosopher's Stone. From fire and water sprang the medieval idea of the composition of metals, in which the names sulphur and mercury were abstractions standing for combustibility and fusibility. According to this theory, conjunction of the impure principals, sulphur and mercury, led to the formation of base metals : when of ordinary purity, the principle produced gold and the superfine or quintessentialized principle furnished the Philosopher's Stone, for the stone was of gold of highly exalted purity. Now to procure this highly purified gold it was necessary to make a sublimate of mercury, and the *Liber Lucis* gives the instructions for this. John advises the use of Roman vitriol or sulphuric acid, but the sulphur which is to be used is not common sulphur, but an invisible spirit to be found in sulphuric acid, which has the property of tincturing things red, yet coagulates mercury in sublimation to the whiteness of snow. John uses it with saltpetre, sometimes also with sal ammoniac. The book shows how to separate and then to fix the elements in a state of high purity by means of certain chemical substances.

John does not claim originality for this part of his chemical work. He writes it "to help the great need and want of God's saints, particularly at the future coming of anti-Christ, and after all what is there so secret about these things ? The philosophers keep them entirely dark and will not reveal them even to their children." But why should not he ?

The treatise on Quintessence does not describe how to transmute base metals into gold, but concentrates on the finding of an elixir of life. It is in two books. The first consists of canons ; the second of remedies. The first gives instructions

¹ I have followed here Dr. Thorndike's exposition in *A History of Magic and Experimental Science*, vol. iii, pp. 34 f.

how to extract *quinta essentia* from all sorts of substances. Quintessence is what cures the distress of old age and can restore the lost vigour of life, and bring back the former powers of the body, but not, he says, in the same degree as of old. It would be absurd to think that these remedies could induce immortality. They can only keep our bodies fit and hale, give us good digestions and healthy complexions.¹ The secret is not an *element* nor composed of elements ; it is a thing that stands in relation to the four qualities as does heaven to the four elements. And just as the heavens are regarded as the fifth essence, superior to the four elements, so it is called *quinta essentia*. It is made from *aqua ardens* (alcohol) through distillation in the alembic shown. The *aqua ardens* is poured in at the top, heated, goes up and comes down through the arms, and this has to happen several times both day and night to get real quintessence. You know it by opening a small sealed up hole and sniffing ; if there is "a marvellous smell that draws all that enter by an invisible bond" then it is *quinta essentia*.² If the smell is not so attractive, then the distillation must go on. There are various alternative methods of making it : by putting the alcohol in an amphora and burying in a hot-bed. You can also make *quinta essentia* from human blood, flesh and eggs, and so forth, and instructions are given.

The fourth canon is of a frankly magical kind. "On the secret of the mastery of fixing the sun in our sky so that it shows therein and sheds life and the principle of life on our bodies." But all that is recommended is that we should heat a gold piece or two (if you have not gold, borrow two silver florins), and quench it or them in alcohol or in good white wine. The fifth canon "on fixing all the stars in our sky so that they may exercise their properties there" is a metaphorical way of recommending that all herbs, simples, aromatics and laxatives be stewed for three hours in alcohol, when their effect will be immeasurably

¹ All Souls College MS. 81, fol. 100 : sed quia constitutum est omnibus semel mori, fantasticum esset laborare querere in hac vita rem que posset nostrum corpus reddere immortale. Restat ergo querere que circa terminum vite nostre a deo prefixum posset corpus nostrum sine corruptione servare et infirmum curare, deperditum quoque restaurare.

² Ibid. fol. 102.

improved. Then John turns to the methods of extracting the fifth essence from minerals, especially gold, and he discovers that from the concept of alcohol as the fifth essence we have passed to a notion of a fifth essence in each thing. So the fifth essence can be extracted from antimony. A passage that occurs in the All Souls text alone describes the process and the result :

Which blessed liquor keep by itself in a strong glass bottle tightly sealed, because it is a treasure which the whole world cannot equal. Behold a miracle ! forsooth the great sweetness of antimony so that it surpasses the sweetness of honey. And I declare by God's love that the human intellect can scarcely believe the virtue and worth of this water of fifth essence of antimony. And Aristotle in the book, *Secret of Secrets*, says that it is its lead. Believe me that never in nature was there a greater secret. For all men have toiled to sublimate the spirits of minerals and never had the fifth essence of the aforesaid antimony. In short I never would be able to express the half of this discovery. For it takes away pain from wounds and heals marvellously. Its virtue is incorruptible, miraculous, and useful beyond measure. Forty days it needs to putrefy in mud in a sealed bottle, and then it works marvels.¹

I cannot agree with one writer who calls the second book of the Quintessence less interesting. This discusses the application of the new liquid (it can be in powdered form also) to particular ailments, e.g. leprosy, skin diseases and lesions, paralysis, consumption, fantastic possession by demons, fevers—tertian, cotidian or pestilential—spasms, etc. It is clear that John was a doctor as well as a chemist, and some of the things he says reflect interestingly upon the medical practice of the day, e.g. upon purgatives. Two essential points about them are, first, that they must not kill you and, second, that they should penetrate to the most remote parts and elicit the evil humours. He had great belief in strawberry water. “I will tell you a great secret in the cure of leprosy” he says. “Take water made of strawberries and that water has, in the cure of leprosy, a super-celestial virtue, and know that this, along with the quintessence I have named, cures leprosy in a remarkable way.” Or it can be cured, if you have not got the fifth essence, by strawberry water in conjunction with alcohol, and he gives particulars how to prepare the water from ripe strawberries : and so forth. In the Bodleian Library MS. Canonici Misc. 37 (fifteenth century)

¹ All Souls College MS. 81, fols. 115, 115v.

of the *De consideratione quintae essentiae*, John is made to declare, in the second book, that there is no remedy against pestilential fevers since the disease is incurable and sent to destroy the people by divine command, against which there is no remedy save through God's goodness. I cannot discover this pessimistic passage in All Souls College MS. 81, the early text, and believe that this is one of the later insertions. John of Roquetaillade had greater faith in his quintessence than that.

An interesting point is that in some versions of the second book John is made to pay testimony to the kindness of his jailors, through whose help he was able to obtain alcohol from a certain holy man, a friend of God. Again, this is missing from All Souls College MS. 81. This may be another case of the later manipulation of the text ; but the care and precision of John's writing suggests that he was able to do certain experiments and at least to have his notes with him in the Sultan's prison. He seems to have had no difficulty in communicating his predictions to those who asked him. While he was in prison he was consulted in an amicable manner by cardinals and dignitaries, treated perfectly well and allowed books, one of which seems to have been largely responsible for the form taken by his prognostications. He was also kept fairly well briefed about current events and it is evident that he had friends to visit him. All that was necessary was to keep him from preaching in public, or broadcasting his predictions, and to do that confinement was the only way. He was asked very topical questions. One cardinal consulted him, shortly after the battle of Poitiers, about the course of the Anglo-French war, and about the future of church revenues. He got a reply that cannot have been consoling to a dignitary of the Holy See. In answering him John reproved him for the definiteness of his questions. The list of queries the cardinal sent seemed presumptuous (he called it *maxima blasphemia dei*) : the cardinal was asking for particulars which only God could infallibly provide ; but those seeking the interpretation of scriptural passages and how they applied to the evils of the time were more to John's thinking. He regarded himself as having the spirit of interpretation. One work of his to which

he alludes of which no specimen survives is the *De Interpretationibus arcanorum scripture*. He regarded himself as an expositor and the texts he mainly took were from Ezekiel and from the Revelations.

In the *Ostensor* preserved in the unique Vatican MS. (Rossiano lat. 753),¹ John says that he had read in prison (1356) the "book of the monk Sergius". He also speaks of having a "liber Agap". Latin MS. 21597 of the Bibliothèque Nationale contains the double commentary of the pseudo-Joachim and of Sergius Bahira on the celebrated and mysterious oracle of St. Cyril. Bahira was the teacher of Mahomet. In the earliest Islamic biographies of Mahomet there is mention of a Christian monk, sometimes anonymous, sometimes called Sergius, Nestorius, Bahira, whom the Arab prophet met before his mission and in the course of one of his travels from Mecca to Syria: a monk who, following certain indications, recognized in Mahomet the prophet sent by God, whose coming had been announced to him in a revelation. This was, of course, good Arab propaganda. Byzantine sources that give the same story allege that the monk was a heretic and was bribed for making the pronouncement. Later we find the story in this form: a monk, whom Syriac versions call Ishoyahb and Arab versions Murhib or Murhab, having gone to the Arabian desert, meets there an old monk Sergius Bahira, who tells him that having had various encounters with his co-religionaries on the subject of the cult of the Cross, he had gone to Sinai. There an angel had appeared to him who showed him the events which were to come about since the beginning of the kingdom of the Israelites until the last judgement. After Bahira's death one of his disciples named Hakim recounted to the monk Ishoyahb how his master received the command to betake himself to the Arabian desert near Medina where he received his revelation. A version of the Syrio-Arab apocalypse of Bahira was current in the West during the Middle Ages. It was a product of the Apocalyptic literature which was continually cultivated among the Christians of the East subjected

¹ Described by Bignami-Odier, *Études sur Jean de Roquetaillade*, pp. 243-4, who attributes it to the second half of the fourteenth century.

to Muslim domination until a late epoch. It is of the same kind as the apocalypses of Enoch, Esdras, Methodius and several of those which were composed in Egypt since the invasion of the seventh century.¹

John of Roquetaillade reproduces in his *Ostensor* and his other prophecies (the *Visiones* and the *Vade mecum in tribulacione*) features characteristic of this oriental literature: notably the Eastern anti-Christ who is due to come after the Turkish invasions to break the Turkish power. Certain of these features he got from the text of the Eritrean Sibyl² and from the prophecies of Robert d'Uzès. The king coming from the East clothed in green, is a Christian king. This is the great king of the Tartars (Cambalech). The glittering car denotes the chariot of Ezekiel which is the Roman Church. Most significant is the traditional notion of the coming, after the death of anti-Christ, of a poor king, who will be one of the blessed race of Pepin, King of the West: a king who will reign over the whole world for seven and a half years, who will refuse to be crowned with a golden crown and will give general peace for a thousand years. But after the millennium Gog and Magog will be unchained, the Angel of Wrath will wreak his will upon the human race and a general extermination will follow in which God will gather together his own for salvation in Jerusalem. In all John's works there is anti-Christ (or anti-Christians), there is the Toynbean Redeemer who will establish peace, and there is the final extermination of all but the saved. These are the common themes upon which he elaborates. Two points seem very important. In all cases the beneficent king is a western king. In one prophecy he is sprung from a Frankish race; in another he is of French stock, which takes the reader back to the *De recuperatione terrae sanctae* of Pierre Dubois, a treatise that looked forward to the dominance of a pacific French monarch in Europe: a sort of predecessor of Dante's *Monarchia*. The second point is the

¹ J. Bignami-Odier and G. Levi della Vida, "La version latine de l'Apocalypse Syro-Arabe de Serge-Bahira", *Mélanges d'Archéologie et d'Histoire* (Ecole Française de Rome), t. lxii (1950), 125 f.

² Cf. in E. Sackur, *Sibyllinische Texte und Forschungen* (Halle, 1898), pp. 117-18, 125,

increasing particularism of the time structure. In the first treatise the time indication is vague ; in the second it is clearly in the fourteenth century and in the third it is all between 1360 and 1372. John has increasingly blended with his Eastern sources detailed information about the state of Europe which he received from visitors and correspondents. It is in the last of these treatises, the *Vade mecum in tribulacione*, that he appears as a prophet of contemporary or near-contemporary events.

In the *Visiones* (another description of the *Liber secretorum eventuum*),¹ addressed to William, archbishop of Arles, the nephew of Benedict XII, one anti-Christ is Louis of Sicily, son of Peter II of Aragon, who succeeded to the kingdom in 1342. There are several others : before him there had been Frederick II of Hohenstaufen, and after Peter will come a horde of cruel tyrants rising against Charles, king elect of the Roman Empire, and this horde will be made up of various tyrants, especially from the dregs of Bavaria and from the malice of the Ghibelline people. The fifth anti-Christ is a false prophet, a pseudo-religious ; the sixth a powerful tyrant in the East who will subdue the whole of Asia. But to return to nearer times : as soon as schism between a true and a false prophet breaks out, Louis of Sicily will be chosen Roman Emperor and a part of the Franciscan Order will group themselves at his side. "Whereupon there will arise preaching monks heretically asserting that our Lord Pope John condemned as heretical the decretal of Nicholas III upon angelic poverty (the *Exitit qui seminat*, declaring that the Friars Minor by their renunciation of property were following the example of Christ and His Apostles). But the general church and the Roman curia will hold firm in these schismatic days, the true Pope among these waves of trouble saying that the Lord Nicholas determined in a catholic fashion about evangelical poverty and that the determining by decretal of the Lord Pope John is true and catholic, for Holy Church asserts that his determination is not repugnant to the determination of Nicholas." This interesting passage quoted *verbatim* is much in the spirit of the conciliatory Bona-gratia of Bergamo, who had written to show that John XXII's

¹ As in Paris, Bibl. Nat., Lat. 3598, fol. 1. Cf. Bignami-Odier, p. 239.

pronouncements were not a radical attack upon the doctrine of evangelical poverty and that the Pope had at best recognized the especial sanctity of the Franciscan life, as for example by his canonization of St. Louis of Toulouse. John of Roquetaillade is therefore careful not to criticize John XXII. But now when these false assertions by the preachers are being made, John continues, the scandal will reach the ear of the Sicilian emperor, whereupon Augustus Siculus will gather together the princes of the world and with their agreement will expel for good all the clergy. Where they are to go and how this is to be done is left entirely uncertain. The Jews will be told that their new Messiah has arisen, but in France a new family of Maccabees *ex sanguine principum Gallicorum* will arise to hammer the Sicilian. The Christian people thus led will fight the king who will fall in a pitched battle, and will be borne alive to the lower regions ; conquered by Holy Church, he will be confounded before the whole age. Before Louis is chosen Emperor, John adds, he will overthrow the Saracens and when opposed by the nobility of Rome will destroy the eternal city for all time. After the death of Louis, whom he identifies with anti-Christ, the Papacy and the Empire will be transferred to Jerusalem where the sabbath of the world will be realized and celebrated. It will be noted that the expulsion of the clergy and the sack of Rome do not seem very permanent events, at any rate in the light of John's later prophecies ; but strict consistency cannot be expected from this particular prophet.

Dr. Kampers suggested that John's treatise upon the oracle of St. Cyril of Jerusalem was written before the deaths of Louis of Bavaria and Louis of Sicily : between 1348 and 1355.¹ In this treatise the Sicilian will be fought by a lion of French blood ; the lion is not precisely identified, but John suggests that it may represent either the second son of Philip VI (whose name was also Philip) or the Dauphin John, or, more likely, Charles of Bohemia, "who had been elected Emperor by the Pope and Cardinals, who is the brother of the wife of Lord John the eldest

¹ F. Kampers, *Die deutsche Kaiseridee in Prophetie und Sage* (Munich, 1896), p. 117.

son of the King of France". John's ideas upon imperial election are certainly strange. Now in each of these tracts, the *Vision* and the *Oracle*, the Aragonese Sicilian is fought and conquered by a hero of French origin. This may be a reference to the ambitions of the house of Anjou in the Mediterranean, a sort of come-back after the Sicilian vespers: more important perhaps is the fact that in the treatise on the *Oracle*, the lion who fights the Sicilian and imposes peace, will, in the Dubois tradition, be ultimately elected Emperor, however that election comes about. Forgetting that he has in the other treatise destroyed Rome, John of Roquetaillade says that the election of the new king-emperor will be carried out publicly there by the Roman senators, who will ask the princes of this world to nominate an emperor from among themselves, that peace may be imposed upon the tumults of the present age. Another possibility, John says, would be for the usual electors to act, but he seems to prefer the election by compromise through "the princes of this world". In any case what they elect is a *Gallus*, either a true Frenchman or one with French blood in him. In his consistorial speech which Clement VI made upon hearing of the Emperor Charles IV's election in 1347, the Pope said, "and observe that he is a Catholic, so devoted and so munificent to the Church that he ought not only to have the Empire by succession, as descended from sacred parents and so forth, but the Empire is due to him by his very name, since he is Charles and history shows that no man more devoted and munificent towards the Church than was Charles the Great."

John's best known work is the *Vade mecum in tribulacione*, so called, he says, because a man who has the spirit (i.e. can understand the prophetic scriptures) will, if he is found worthy, be able to shield himself in the day of destruction; and this book shows him their meaning. In the Prologue he claims to have foretold the battle of Poitiers, to have predicted the troubles arising in Spain and, nearer home, to have informed his nephew Anselm, who consulted him on the point, that he would be successful in obtaining the church of the Blessed Mary of Aurillac. He is conscious therefore of a good record in prophesying. His guide is made up of twenty intentions, intentions

meaning the things that are intended or destined to happen, and the whole period is confined to thirteen years following the date of writing 1356. Within these years a great persecution against the clergy is predicted and the conclusion is expressed that only through fierce probation can the prelates of the Church be converted from their present way of living. Many of them will die by the sword, others will be burnt or destroyed by hunger, plague and various evils ; and before 1362 the cardinals will leave their pleasant retreat (*requies*), Avignon. Their flight will take place within the next five and a half years and is the beginning of the stupendous events that John is about to relate. Between 1360 and 1365 there will be terrible novelties in the world. First the worms of the earth shall assume such fortitude and hostility that they shall cruelly devour almost all lions, bears, leopards and wolves. The birds of the air, not merely rapacious falcons but songbirds, blackbirds and linnets, shall tear one another. This is all necessary if the prophecy of Isaiah xxxiii is to be fulfilled. There shall arise in those five years what John calls *justitia popularis*, which means mob justice, to devour tyrants, traitors and nobles. Popular justice shall consume the riches of the nobility and those who rob the poor people shall themselves be plundered. Before 1365 is reached there will publicly appear an oriental anti-Christ whose discipline will preach around Jerusalem with false signs. John lays stress on the importance of understanding the " marrow " of future events, i.e. 1356-9, since it is during these years that the princes of the Church are preparing to fly from Avignon. The power of the French king will not be able to protect churchmen. This period will be one of conflict : there will be an aggression of the Moslem power against the Christians, but a Spanish king will be able to wipe out the Mohammedan power, especially in Africa. When the 'sixties are reached, the world will rise in indignation against rich clerks : they will be destroyed and stripped and murdered by secular peoples (*per populos seculares*) and after the princes of the Church have seen that they can no longer raise their heads their affliction shall give them intelligence, so that they may return to apostolic poverty.

A western anti-Christ is now to arise and persecute the

Church. He will publicly appear in the Roman Empire between 1362 and 1370, but his flagellations will not extend for more than three and a half years. His régime will be followed by the rule of a supreme pontiff, the *reparator* of the world. He is the man represented in Ezekiel ix clothed in linen, signing his elect with the sign TAU on their foreheads. He is also the angel who has the golden censer and presents upon the altar which is before the eyes of God the prayers of the saints. He is the angel of chapter xx of the Revelations having a great chain for binding Satan. With him is the mystical Elias of whom Christ said in Matthew "that he would come to restore all things"; of whom, says John, I have made many treatises with abundant material in several books. These two figures first take temporal form before 1365 in the persons of two admirable prophets, the *duos cordelarios abjectos fratres minores*.

The first of these Minorites will be the restorer-pope we have mentioned, the other is to be the person of Elias, the fore-runner, and the signs of their coming is an invasion of the infidels from the East and the flight of the curia from Avignon. The poor friar destined to be the reparator-pope will have a hard battle against infidels and enemies who will rise up and stone him and "there would be great risk were Christ not to provide for his desolate Church and to send two cranes of the redheaded kind to take him up and bear him on their wings and save him from the hands of the enemy". What contemporary work of art had John in mind? Clement VI had employed Sienese artists to redecorate the papal palace: are these rescuing birds some which John had seen in the papal wardrobe or on other murals?

The Reparator or Redeemer will restore all things. He is to expel the corrupt priests from the temples, depose simoniacs, and restore to episcopal sees the liberty of electing their prelates (highly tendentious predictions). He is to write the "Book of the Reparation of the world" by Christ's art, whose virtue will endure to the end of the age. The king of France who is to come to Rome at the beginning of his pontificate, the Pope will, contrary to the normal Germanic method of election, make Roman emperor, and to him God will subject the whole world. This emperor will be of such sanctity that no emperor nor king

shall be like him from the beginning of the world save only the King of Kings and Lord of Lords. This Gallic emperor shall refuse to be crowned with the golden crown, in honour of the crown of thorns that Jesus wore : like Godfrey de Bouillon.

After destroying the power of Mahomet and freeing the Greeks from the Turks, the Pope—and this is an interesting statement—will decide that as long as the world lasts the cardinals shall be drawn from the Greek Church. This Pope will live for nine and a half years, the Emperor for about ten. The said Pope will establish in the kingdom of Sicily a king, who with powerful hand and stretched out arm will acquire the kingdom of Jerusalem, after whose acquisition the Emperor (like St. Louis of Toulouse) will leave the present world and assume the habit and life of a friar minor. He will leave a son who will be king of Lombardy and will die within fifteen years.

Within this strange rigmarole, which some might consider the ravings of a demented prisoner, are certain interesting features that call for notice. John sticks closely to the text of the Apocalypse and most of his intentions bear some reference to the Patmos vision. The *Cordelier* pope who becomes the divine *reparator*, redeemer and restorer, has good precedent in earlier medieval prophecy, but the colleague Elias I have not been able to trace. Once more the king of France appears as Emperor, defying the normal means of election and, it will be noted, appointed by the Redeemer-pope. In this treatise he is nearer than ever to the monarch of Dante's vision. Lastly, the assumption of the cardinals from the Greek Church seems without precedent in western Apocalyptic literature. It displays the influence of the eastern Mediterranean upon prophetic writing as well as the notion of an *oikouμενη*, it is John's way of predicting the unification of the two churches. Most interesting of all is the foretelling of popular revolts, which did, in fact, take place throughout Europe in the thirteen seventies and eighties and were primarily revolts of work-people in the towns or agricultural labourers. There is a mixture of contemporary theory and observation that runs through the allegories which he presents and, to those who consulted him, must have been an alarming and fascinating feature of his work.

It must be obvious, in fine, that John of Roquetaillade is too bizarre a figure to have much influence upon fourteenth-century history or upon the annals of his order ; but significant he certainly is, indicative of certain currents in the political and scientific speculation of contemporary Europe, of the break-up of the ordered medieval world and of the changing and divided state of the Franciscans in the middle of that period.

THE EARLY PRINTED VERSIONS OF MEDIEVAL GERMAN HEROIC LITERATURE

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THE period at the end of the fifteenth and the beginning of the sixteenth centuries is not one of great creative activity in German literature, but it plays an important part in the study of that literature, on account of the interest it showed in the works of the earlier masters. This interest took several forms, not all of which are my concern in the present investigation ; there are, for example, the works of those who were men of letters themselves, like Ulrich Füetrer, who turned their attention to the ancient stories and retold them. It is always difficult, sometimes impossible, to say to what extent these late adaptations conform to the original forms of the stories ; as we are dealing with men who do lay claim to literary powers, modest as these powers sometimes undoubtedly were, we must be guided by caution and be very chary of seeing in these works an exact reproduction of the original. For my immediate purpose the significance of these writers is that they set the stage for the discussion of my particular problem, in that they introduce us to the antiquarian tastes of the period.

The other forms which this interest took, and which do concern us, are the strictly recording activities. Fundamentally it should, perhaps, be immaterial whether this recording activity took the form of recording by handwriting or by printing ; and it would, indeed, be difficult to draw any distinct line of demarcation between the two, either on the basis of a distinction between the kinds of work which were written, or printed, or on the basis of the approach of scribes, or printers, to their models. In the earliest period of printing it would be even more difficult to set about making such a distinction than after the turn of the century, in fact it would scarcely occur to an investigator to do so, for

that was the time when a print ranked *pari passu* with a manuscript for text-critical purposes, and we have cases in the very field with which my present enquiry is concerned where these conditions apply. My enquiry is not, however, confined to the very earliest period of printing but extends to the first hundred years of the craft, in fact rather longer; and in this period problems arise which do put the printed recordings into a class with peculiarities of their own. I hasten to add that I have not arbitrarily chosen this extent of time in order to justify drawing this distinction; on the contrary, the grouping, and the problem, present themselves naturally, in that there issue from the printing presses from about 1480 to the end of the sixteenth century—with isolated examples from even later—a considerable number of works of fictional literature, belonging to a quite narrowly defined genre and sometimes even of similar subject-matter, which do present problems which are not shared with any of the manuscripts which have been preserved. This, in theory, would, I maintain, be enough to justify separate treatment; but in addition to that, in fact, the works which have been preserved to us in this way add considerably to our knowledge of German literature in the Middle Ages, and the questions of principle to which they give rise have never been adequately faced. I hope also that the investigation may throw some light on the printers themselves.

Before I deal with this central point I must say a few words about the recording activity of which there is manuscript evidence; I hope that what I say will make it clear that this is not a digression, but that an acquaintance with this phenomenon will help us to assess more accurately the significance of the printed counterparts. That some of the writings of the classical period of Middle High German literature have a continuous manuscript tradition from the time of their composition in the early thirteenth century until the invention of printing does not need to be stressed here: there is nothing very surprising about it and it does not raise any particular problems, for when there is such a continuous tradition it is comparatively easy to assess the value of the latest descendants, and it is not about these manuscripts that I have anything to say. What I am concerned with

is the collective manuscripts of the middle to end of the fifteenth century, which do not fit into any known tradition : where these manuscripts do contain works about which we have knowledge from earlier manuscript sources, the version which we have here in so many cases deviates more widely than is normally regarded as consonant with descent in the same line, and in other cases we have no other knowledge of the existence of the works so recorded, although the theme and treatment make it clear that these works are not entirely the creation of the period of the manuscript. I refer to the so-called "Books of Heroes" (*Heldenbücher*) ; this word has been used quite widely in modern times for collected editions, and translations, of medieval works, but there are also three medieval collections which go by this name. About their origin, how they came to be compiled and on what principle, if any, works were chosen for inclusion, we know little or nothing. The fact that the Emperor Maximilian gave the commission for one of them (completed in 1516) is known, and is interesting enough, but it does nothing to invalidate the previous sentence. This is the latest of the three, and it normally goes by the name of *Anbras Heldenbuch*. The earliest is that which was written in 1472 by Kaspar von der Roen of Münnernstadt in Franconia for Duke Balthasar of Mecklenburg ; it sometimes goes by the name of the scribe, sometimes by the name of the place where it was preserved, namely Dresden.¹ Slightly later, probably, is the Strassburg collection, which exists, or at least existed, in both manuscript and printed form, neither of which bears a date. The manuscript was formerly in the Seminar Library at Strassburg and was destroyed during the bombardment of that town in 1870, although not before a reliable copy had been made, which was deposited in what was then the Preussische Staatsbibliothek in Berlin. It used to be the view that this manuscript dated from the middle of the fifteenth century,² but the later researches of Carl Schorbach indicate that

¹ Reprinted in *Deutsche Gedichte des Mittelalters*, hrsg. F. H. von der Hagen und J. G. Büsching (Berlin, 1808-25).

² See, for example, *Der grosse Wolfdieterich*, hrsg. A. Holtzmann (Heidelberg, 1865), p. xvii, and *Laurin und der kleine Rosengarten*, hrsg. G. Holz (Halle, 1897), p. iii.

the scribe was not Diebolt von Hagenau but Diebolt Hanowe and that its date was about 1480.¹ A number of eminent scholars in the nineteenth century examined the original manuscript and knew it before the copy was made.

Of particular interest for the present study is the fact that this collection was also printed and also the way in which it was printed. The print bears no statement of date or place of printing, nor of the name of the printer; Schorbach (*op. cit.*) came to the conclusion that it was done by Johann Prüss of Strassburg about 1480. The relation of print to manuscript varies. In the case of one of the poems it contains, *Laurin*, the correspondence is exact (see Holz, *ed. cit.* p. xxviii); Holz is of the opinion that as the print on several occasions has the correct reading where the manuscript is faulty the priority must be given to the print, although I am not convinced that this is a cogent reason, especially as Holz himself remarks that the print is "naturally" more carefully done than the manuscript. The two copies are used by Holz for establishing the text.

In the case of the other three poems which constitute the collection the printed version—and I use the word version advisedly here—is of no value for textual purposes, for these poems have been recast to suit a different rhyming system: they are in the strophic form familiar from the heroic epics, such as *Nibelungenlied*, in which the rhymes occur, in pairs, at the end of the long lines. This was adhered to in the manuscript version, but the print has introduced "internal", or "caesura", rhyme, making additional rhymes, also in pairs, for the first half-lines in addition. An idea of what this involves in the way of recasting can be obtained by comparing the opening lines of *Wolfdietrich*, which are reprinted according to the manuscript by Holtzmann on pages xvii f. of his edition² and the text of the print, which is available in the edition of A. von Keller, on page 126.³ The

¹ For a detailed account see his *Seltene Drucke in Nachbildungen. IV. Laurin* (Halle, 1904), pp. 5 f.

² They can also be found in Von der Hagen und Büsching, *Literarischer Grundriss zur Geschichte der deutschen Poesie* (Berlin, 1812), pp. 8 f.

³ *Das deutsche Heldenbuch nach dem muthmasslich ältesten Drucke*, hrsg. Adelbert von Keller, Bibliothek des litterarischen Vereins in Stuttgart, vol. 87 (1867).

consequences of this for textual purposes are obvious, in general, although there are occasions when this version can be used, though not really for anything more than confirmatory purposes. Holtzmann¹ considered it of hardly any value at all for the edition of *Wolfdietrich*, and Amelung shared this view in respect of *Ortnit*:² the cases he quotes where he did find the print of some use are rather for helping in determining details of content and not for strictly questions of reading. In the case of the *Rosengarten* the situation is to that extent different that the print and the manuscript have two separate versions of the poem: the print follows the A version and the manuscript the D.³ In their respective contexts the two run true to type: the manuscript takes its place with the others of this version (all of them fifteenth century) and plays its part in the establishment of the text; the printed form is an adaptation, as above, and I can find no trace of Holz having used it for textual purposes.

To what extent the apparent difference in procedure in the case of *Rosengarten* on the one hand and the other three poems on the other is reconcilable with the print having used the same manuscript throughout (that same one being the Strassburg manuscript which we have been dealing with)—Holz, in the note on page xciii, would appear to think that this was the case—is something which cannot be dealt with here. The very question of the nature of the manuscript itself is one which remains to be cleared up: the printed book is clearly circumscribed, and it contains, apart from the famous “Preface”, the four poems I have mentioned, and as all the subsequent editions (1509, 1545, 1560, 1590—and I take it in the absence of any statement to the contrary that the same applies to the 1491 edition, although I have never seen a copy of this) have the same content one may safely conclude that that really was how it was composed. In the case of the manuscript there is not the same clarity: it contains two further poems, *Dietrich von bernne und sigenott* and—not a

¹ Op. cit. p. xxxix.

² *Ortnit und die Wolfdietriche*, hrsg. von A. Amelung und O. Jänicke (Berlin, 1871), p. xv.

³ For details see *Die Gedichte vom Rosengarten zu Worms*, hrsg. G. Holz (Halle, 1893), pp. iii and v and xcvi ff.

"heroic" poem at all—*Pfaffe Amis*, but it is now no longer possible to say with certainty how integral was their connection with the rest, or even how old, or "genuine", the collection as a collection was. Schoener, writing in 1928, simply states that the manuscript (he still retains the old view that it was written by Diebolt von Hagenau in 1450) contained all the above-mentioned poems,¹ but Holtzmann in his edition of *Wolfstietrich*, (p. xvii) supplies the important details and states quite definitely that it is made up of what were originally separate codices. This is a most important statement and one which does not seem, as far as I can see, to have attracted any attention; it is, of course, of no particular significance to editors who are concerned with one particular poem whether the manuscript of this poem was a separate codex or whether it contained other poems, any more than it is of any particular significance to an editor concerned with an edition of the *Nibelungenlied* to know that one of the best manuscripts is part of a codex which contains Wolfram's *Parzival*. For anyone concerned with the problems of relationship of print to manuscript, however, it is of the greatest importance, but an examination of it would take us far outside the scope of the present enquiry, and it is, I think, bound to be fraught with very considerable speculation; for the present we must be content with noting the situation in regard to the separate poems. In this connection the two things which are of greatest importance are that manuscript and print are the same in the case of *Laurin*, but that in the case of the others the printed version has the changed metrical form with the cæsura rhymes. That this is still reconcilable with the printer nevertheless having used the Strassburg manuscript and nothing else is shown by the fact that one of the printers of the *Lied vom hürnen Seyfrid* did the same thing. Such rhymes occur occasionally in all the prints of that poem and must therefore be regarded as original, but in that done by Thiebolt Berger of Strassburg in 1563 it is pursued as a policy; it is not carried through in all cases, and cannot therefore to that extent be equated with what occurs in the *Heldenbuch*, but it does show that such interference with the source is

¹ *Der jüngere Sigenot*, hrsg. A. Clemens Schoener (Heidelberg, 1928), pp. x f.

something which a printer thought was legitimate and which he found the ability to do.

The composition and origin of these "Books of Heroes" is a problem in itself: for the purpose of the present enquiry it will be sufficient to note that the three (regarding, at least provisionally, the printed and manuscript Strassburg collections as one) are united only by their similarity of purpose, in that they all contain narrative poems dealing with the heroic deeds of figures which occupied a central position in the literature of the thirteenth century, but the three collections differ greatly in their composition. Most of the poems are long—"epics"—but not all of them by any means. Further, they differ more widely than a mere list of the titles they contain would appear to indicate, for it repeatedly happens that where more than one of them contains a poem with the same title the versions of these poems are different, in a way which goes far beyond mere textual variation; the *Rosengarten* in the two Strassburg collections is a case in point. The Dresden and Ambras collections contain poems, different in each case, which are not known from earlier sources.

The situation in respect of the printed single works is similar in that here too we have works which have not been previously recorded, and works previously recorded but in deviating form, and it is this, and the problems it raises, which forms the central problem of this article. It is seldom that one finds one of the works of the Classical Period of Middle High German literature recorded in print in this period, the outstanding exception being, of course, *Parzival* and *Titurel* of Wolfram von Eschenbach, which were printed in 1477, and are now attributed to Mentelin of Strassburg. In this case the print is treated for textual purposes as if it were a manuscript and has been accorded its place in the family of manuscripts from the original edition of the poems by Lachmann in 1833 (p. xviii) to the latest revision of that standard edition by Ed. Hartl in 1952 (p. liii).

A word of explanation is called for in view of my remark in the previous paragraph that some of the works I shall be concerned with were not recorded before they appeared in print; what evidence is there that they did in fact exist before they were

committed to print and therefore claim a place in this enquiry ? I hope to be able to show that the answer, in detail, is different in each individual case, but there is some common ground, and this common ground is the fact that the themes and actors are those that are associated with the medieval period (largely, but by no means entirely, with the thirteenth century) and that there are references in the preserved writings of authors of the thirteenth century, as well as later, to works no longer extant but with titles identical with, or similar to, those that we have in early prints. We therefore maintain that there is a *prima facie* case for regarding these fifteenth- and sixteenth-century printed poems as evidence of these works. It is for this reason that they can claim the attention of the historian of literature : their importance in the history of printing needs, I think, no stressing.

Apart from taking cognizance of their existence and drawing conclusions from this, which must of necessity be very tentative and provisional, on the continuing popularity of the genre which these poems represent, the first task of the scholar in dealing with them is to examine the text and, if he proposes to publish an edition of one or more of the works, to decide on what kind of edition it shall be : quite apart from publishing a facsimile, which is not infrequently done, the real choice is between whether the edition shall give a diplomatic reprint of one of the prints of the poem, or whether it shall be a critical text. Still more difficult is the division under the second heading : is the critical text to go back beyond the immediate source of the extant prints, perhaps itself a print, or shall it seek to reconstruct the text of the poem as it was originally composed ? The latter alternative involves considerable textual changes, for the German language had undergone far-reaching changes (from Middle High German to Early New High German) which would have their repercussions on the language of the poem, the chief among these being drastic changes in the pronunciation of long vowels and diphthongs which would make it possible to rhyme in the later period words which could not have rhymed in the earlier, and vice versa.

The problem became acute for me when I had to decide on

how to proceed in my edition of just such a poem.¹ This is an example of the extreme mentioned above : it is preserved only in prints, of which the earliest (undated) would appear to be from about 1530, but there are allusions and references which show that the events related in the poem have a much greater antiquity—although they have not all the same antiquity. It has been, for example, stated that there existed in the middle of the thirteenth century an epic poem about Siegfried, the outline of which can still be traced in the strophes of our poem, which is described as an abbreviated extract.² There is no concrete evidence for this statement, and the full discussion of the problem in the Introduction to my edition of the poem shows that the evidence that exists indicates quite emphatically that that in fact is not the case. Supported by my confidence that the poem as it stands is not an abbreviation, but a comparatively recent creation, based on earlier, disparate, material, I have not attempted, in the establishment of the text, to go back beyond the archetype of the extant prints, even when this involves printing some obscurities, the presence of which in the archetype is adequately attested by their, sometimes unanimous, occurrence in the extant prints. I quite realize that perhaps not everybody will agree with my procedure, but I am satisfied that my method is correct for the case in point. I propose now to examine the policies of other editors to see whether any generally valid principles can be set up for the editing of works of this kind. The works I shall discuss are all comparable in kind to the *Hürnen Seyfrid*, in that they are all narrative, fictional, works dealing with deeds of heroism, and usually resulting in the hero overcoming, by his great strength and resourcefulness, the dangers which beset him. There again, this is not just an arbitrary distinction ; there were many other works in Middle High German literature, and there were many other works printed, but there were not many other Middle High German works (of fictional, narrative, literature)

¹ *Der hürnen Seyfrid* or *Das Lied vom hürnen Seyfrid*. I reported on the problems of spelling in the BULLETIN, vol. 35, no. 1, 61 ff. My edition is now complete in manuscript.

² By D. von Kralik, in his Introduction to *Das Nibelungenlied*, übersetzt von Karl Simrock, Kröner (Stuttgart, 1954), p. xiv.

which were printed in our period—as far as we can judge by what has been preserved. I am aware that one must consider the possibility of loss, and that many other poems may have been printed about which we have no evidence; on the other hand there is very real evidence in what we have, and it falls together readily into an intelligible group, or unity—so much so that one is justified, while exercising due caution in view of the possibility of loss, in regarding what is preserved as some guide to the tastes of the reading public of the time and of the steps taken by contemporary printers to satisfy them. The observation by the Swiss antiquarian Melchior Goldast would tend to confirm that what is now preserved is not in fact much less than was then current: “hercle non magis quam vel Homeri poemata an Virgilij. Cuimodi sunt, quae sola ex media antiquitate circumferuntur, carmina de *Otnite Langobardo*, de *Woluftheodoricho Graeco*, de *Gibicho Vangione*, de *Laurino*, de *Theodorico Veronesi*, de *Hiltibrando Gotto*, de *Sigifrido Agrippinensi cognomento Corneo*, de *Eckio*, de *Eckardo Alsato*, de *Ernesto Austrio an Bavarо*, alia quae necdum in manus nostras pervenere.”¹

The works are: *Das Lied vom alten Hildebrant, Herr Dietrich von bern . . .* (normally now known as “Der jüngere Sigenot”), *Ecken Ausfahrt, Laurin, Wunderer* or *Etzels Hofhaltung, Herzog Ernst*. In all of these the printed versions are prominent, but in no case are we, as with the *Hürnen Seyfrid*, entirely without manuscript evidence; this evidence varies greatly in its reliability and in some cases it is of less value for textual—and even historical—purposes than some of the prints. I am concerned here with the assessment of the value of the printed evidence.

There is one other work which must be mentioned here, although so little is known about it that it scarcely can be said to present a problem: the poem about the death of King Ermanaric, *van Dirick van dem Berne*, normally now referred to under the title “Von Koninc Ermenrikes Dôt”. In view of its special position I shall reserve the few comments I have to make on it until the end, and I shall not include it, unless otherwise stated, in any general remarks I may make in the meantime.

¹ *Paraeneticorum veterum Pars I* (1604), p. 346.

One thing immediately springs to mind, as a circumstance which unites all these, and that is that they all occur, or more accurately poems with all these titles occur, in Kaspar von der Roen's *Heldenbuch*. I have not made this circumstance a condition of my choice : these poems are, to the best of my knowledge, the only ones of their category which are preserved in fifteenth- and sixteenth-century prints, this category being that of "heroic" literature and consisting of poems which deal with the heroic deeds of figures from the period of the Migrations of the Peoples ; it is generally believed that such poems were composed at that time, and they certainly, in the form of epics, bulked large in the literature of the thirteenth century. The classification of *Herzog Ernst* has always caused some difficulty, but by the time it, and the others, appear in print, or even earlier in the Dresden *Heldenbuch*, they all fall without any difficulty into a group, and are united by standards of length, subject-matter and treatment, the two latter in that they deal with deeds of strength, rather than courage, of eminent men, concluding with the restoration of the happy *status quo*. It is to my mind significant that it was these poems that were printed in this period, and the fact that there are so many others of similar length and treatment convinces me that it is because these "heroic" poems lend themselves to this treatment that they were chosen. The circumstance that they are also contained in the Dresden *Heldenbuch* has, I think, nothing to do with this choice, except to the extent that it indicates that Kaspar von der Roen or his patron was similarly motivated ; and, in any case, *Das Lied vom hürnen Seyfrid* is not in the Dresden manuscript and yet it was as frequently printed as the others. I have stated in the Introduction to my edition that this poem belongs to the same literary climate. I shall discuss the poems in the order in which I listed them above : there is no particular significance about the order.

In the case of the *Lied von dem alten Hildebrant* the situation, historically, has some affinity with the *Hürnen Seyfrid* : a complete hiatus of several centuries between the proper heroic poem and the late medieval version, and the same lack of high seriousness when it does recur. The poem is preserved in numerous prints (rather more than in the case of *Hürnen Seyfrid* are

certainly attested),¹ and these fall readily into two groups : two main groups, of which the second, and poorer, can again be divided into two. One of these groups contains a print which, although undated, is of considerable antiquity : it still retains the undiphthongized long vowels of the Middle High German period, but which are usually superseded in prints. It is not perfect, however, nor is it the archetype of all the other prints, but it has the stamp of such greater reliability than the others that the editor (Steinmeyer) only deviates from it when an agreement between the second class and the other two prints in this class, or with manuscripts when applicable, shows that it has innovated. It is a Strassburg print, but the printer is unknown. How rarely it has been necessary, in fact, to deviate from it is revealed by a glance at the apparatus. The task of the editor is then to this extent simple, and the principle adopted by Steinmeyer is the same that I have adopted in the case of *Hürnen Seyfrid*—and which I adopted before I examined Steinmeyer's work on the *Hildebrandslied*. The result is a text which contains unsatisfactory readings and some things which are clearly “wrong”, but it has the stamp of a genuine print. The great point of difference lies in the fact that Steinmeyer had also a manuscript tradition before him ; this, however, deviated far too greatly for it to be permissible to use it—except in a case like line 4 of strophe 5 where the reading chosen is, although not that of the manuscript tradition, one which the editor would have been led to by the manuscript tradition, or by which he would have been strengthened in his conjecture if he had made it without reference to this tradition. It is clear from his remarks on page 23 that Steinmeyer is as clear as I am in the case of the *Hürnen Seyfrid* that much in the text as printed makes less than good sense, and that he regards the manuscript tradition as superior, but he prints that to which the prints themselves point.

In view of the importance which I attach to the two Nürnberg prints of *Hürnen Seyfrid*, I would draw particular attention to what Steinmeyer says about the grouping of the prints of the

¹ Details, as well as a critical text of the poem, are best found in *Denkmäler deutscher Poesie und Prosa aus dem VIII-XII Jahrhundert*, hrsg. K. Müllenhoff und W. Scherer, Dritte Ausgabe von E. Steinmeyer (Berlin, 1892), ii. 20-30.

Hildebrandslied : one of the sub-divisions of his second group is formed largely by the Nürnberg prints, and this group he characterizes as being distinguished by the freedom with which it proceeds. The Nürnberg print, known to Steinmeyer only from Weller's statement in the *Annalen*, by Kunegunde Hergotin, has since been found in the Ratsschulbibliothek in Zwickau and has been published as number 7 in the series *Zwickauer Facsimiledrucke* (Verlag F. Ullmann, 1912). It has no features to distinguish it from the Nürnberg prints which Steinmeyer did know. The freedom to which Steinmeyer refers will be adjudged more or less serious according to different people's views, but a drastically different text would not have resulted if there had been nothing better to work with, as is the case with *Hürnen Scyfrid*. In principle Steinmeyer has proceeded as I have, but he was able to call upon, and base his text on, an older and rather better print than I have been able to use. He concludes that the archetype which he thus reconstructs is based on a manuscript and that it may be used with other manuscripts for the reconstruction of the original poem ; but as there is for two-thirds of the poem only one manuscript (fifteenth-sixteenth century) which could be used—the Dresden *Heldenbuch* being too unreliable and the Netherlandish one being only a translation, in addition to its containing many arbitrary alterations—he is not of the opinion that we can proceed any further.

The known facts about "Der jüngere Sigenot" are set out in the edition by Schoener (see above), but for all the massive Introduction it is still far from clear what is the position of the prints : in fact, as Schoener presents the evidence, the prints do not seem to have a separate existence. Briefly the situation seems to be as follows : the older poem, of the thirteenth century, underwent a drastic revision, increasing its length, at a date not specified, but thought to be c. 1350, and this poem, the "jüngere Sigenot", has been preserved in several manuscripts and more prints. None of these inspires full confidence, but the best would appear to be the Strassburg manuscript, the *Heldenbuch* mentioned above. Schoener puts this in a class by itself and uses it as the basis for his critical text ; all the other witnesses (four manuscripts, including that of Kaspar von der Roen, and

the prints) he regards as representatives of a recast form of the poem (cf. his table on p. lxvi); of the numerous prints he considers that that by Bäumler of Augsburg of about 1480 is the source from which all the others are descended.

Our present concern is not with Schoener's methods except in so far as he uses the prints, and here there are two matters which do call for comment. The first of these is his use, in the apparatus, of the readings of *all* the prints: it is, indeed, most useful to have these readings, as well as the account of each print in the Introduction, for they enable us to form our own opinion of the family of prints, but it can be misleading for it can give the impression that each print whose reading is given is to be regarded as an independent witness. It would be most uncommon if this were so, and indeed the editor denies that by his claim that the Bäumler print is the parent of them all (p. lxiv).

The second point concerns just this claim. Schoener admits that the later prints do not simply copy the source (and in that they act in common with the printers of our other poems); but I am not yet convinced that the variant readings are in fact consonant with descent from Bäumler and Bäumler alone, and my chief reason for this doubt is that so many of these deviations from Bäumler coincide with readings of manuscripts other than the Strassburg: some with the Heidelberg manuscript (e.g. 93, 5 and 122, 1) and others with Kaspar von der Roen (e.g. 130, 12 and 10, 11; or 62, 2, and 174, 12, where the agreement is not exact). I have merely mentioned a few cases to illustrate my point: a perusal of the apparatus reveals a large number more.

One might perhaps be reminded at this point that before Schoener's edition, and before the Bäumler print was available complete, or nearly complete, the view was that the prints fell into three independent groups. Steinmeyer held this view (*Altdeutsche Studien*, p. 76) and it was followed by Schorbach.¹ A fragment corresponding to the Bäumler print was known, and Schorbach remarked that it contained many a reading which

¹ *Seltene Drucke in Nachbildungen. II. Dietrich von Bern (Sigenot)* (Leipzig, 1894), pp. 14 f.

savoured of the manuscript and which had been removed by later prints ; the other two groups (one consisting among others of two Heidelberg prints of 1490 and 1493, and the other headed by Gutknecht and Newber of Nürnberg and Schönigk of Augsburg) Steinmeyer maintained were independent of one another and descended from a common source.

I am not prepared at the moment to offer an explanation of the deviations of the later prints from the oldest : I cannot see how one can adequately explain the agreements with manuscripts against this one print if one accepts the view that this print is the parent of them all. On the other hand the fact that all the prints have the same number and arrangement of strophes (those, that is, that are complete enough for us to see what this arrangement is) argues in favour of their being all of one family. I cannot see on what evidence Schoener maintains (*op. cit. p. lxiv*) that a number of important deviations of these later prints is based on a now lost Strassburg print of before 1490 ; I am quite prepared to consider the possibility that there may have existed from the beginning a quite separate print (based, that is, on a different manuscript from that which Bäumler used) and that the use of this, combined with the Bäumler, might have caused the discrepancies, but one would need more evidence and it would mean a considerable alteration to Schoener's genealogical table on page *lxvi*. I do not think we are helped much by the reference to the "riesige Verbreitung" of the poem, for there are no more prints than there are of the *Hildebrandslied* and not many more than of the *Hürnen Seyfrid*. The claim that a copy of the poem could be found in every important printing house or scriptorium of the fifteenth century requires further substantiating : I should prefer to keep to a more sober list of attested prints and printers and compare the picture presented by other poems.

The really important thing for the present enquiry is that an examination of the apparatus—and here again one is grateful for having the variant readings so fully and clearly laid out—reveals the familiar picture of the printed version as a separate family, or at least a separate branch. This is not invalidated by the previous observation that there are readings in the later

prints which point to distinct manuscript traditions, nor by the fact that at times the whole printed branch shows what may be termed proper variant readings ; but the number of occasions when it shows a quite independent recasting, with different vocabulary, different syntax, and differing meaning only serves to stress once again what emerges from other similar poems, and that is that if we had only the printed version we should not be in a position to reconstruct the original text. A few examples such as the following will reveal my meaning.

In str. 17, 6 (numbering according to Schoener) the critical text reads *Die wil ir hânt daz leben* and the prints (D) *Od ir kempt vmb das leben.* 27, 11-13 critical text

Er reit entwerhes in dem tan.

Er kam úf eine heide,

Als ich vernumen han.

and D

Von stund da kam der helde kön

Vber ain prayte hayde

Wol auff ain wisen grôn.

In 3, 9-10 the critical text reads

Von der kam ich in grôzen pîn :

Siu brâcht mich nâ vom leibe.

and in D

Sy het mir nach das leben mein

Geschayden von dem leibe.

There are many more such examples, and they can be readily seen from the apparatus ; it is such incalculable departures such as these which always shake my faith in the printed version. Other cases of very individual readings could be adduced which are less incalculable in that they occur at places where the archetype was clearly corrupt and in which every witness can claim to be considered, but in the cases I have just quoted there is not this excuse. The alteration in 61, 4 from *Der gie im vase für diu knie* (to rhyme with *gie*) to D *Gar fast er im für sein knye hieng* (: *gieng*) could be ascribed to exigencies of rhyme, resulting from the substitution of *gieng* for the older *gie*. The fact that the printed branch omits strophes, reverses some, and combines two into one (cf. Schoener, esp. p. xxv) would add to the difficulty of reconstructing the original from the prints alone, but

this sort of thing is not something which is confined to prints alone.

To the list of prints in Schoener should be added : *Herr Dieterich von Bern / und sein treiwer Meister Hildebrandt / Wie sie wider Ryss Sygenoten gestritten haben ; und zu letzt von dem alten Hildebrand überwunden*, printed by Thiebolt Berger in Strassburg. This was discovered in the Bibliothèque du Consistoire Protestant at Colmar by Theodor Lindemann and was mentioned by him in his work on the *Hürnen Seyfrid*¹ but it would appear to have escaped Schoener's notice. Lindemann did not give the colophon, with the date : *Getruckt zu Strasburg bey Thiebolt Berger am Barfüsser platz. D M L X.* This print contains the normal printed text of 196 strophes, and it also has thirty-seven wood-cuts, most of which are apt, only a few being used more than once ; its position in the family of prints can only be determined in the course of a study devoted especially to the prints, but from a first reading I see no reason to assign any special importance to it.

In the case of the *Eckenlied*, or *Ecken Ausfahrt* in the printed form, there is also no doubt that we are dealing with a poem of the thirteenth century, and part of the poem at least is contained in manuscripts of that time or a little later ; the prints occupy a less isolated position. Julius Zupitza was the first scholar to concern himself with a critical edition : he first dealt with the poem in his doctoral dissertation *Prolegomena ad Alberti de Kemenaten Eckium* (Berlin, 1865) and later produced his critical edition in the fifth part of the *Deutsches Heldenbuch*.² He only knew four complete prints ; his examination of them brought him to the conclusion that one of them was directly descended from another, but that this latter and the other two were not so closely related and that they consequently all had some independent value for textual purposes (op. cit. p. xxxvi). We must stop to consider for a moment what his purpose was : it was, briefly, to produce a critical text of the original poem of the thirteenth century, and he was able to use for part of the time

¹ *Versuch einer Formenlehre des Hürnen Seyfrid* (Halle, 1913), p. 2.

² *Dietrichs Abenteuer von Albrecht von Kemenaten*, hrsg. J. Zupitza (Berlin, 1870).

manuscripts which were near in time to that of the composition of the poem itself, but these manuscripts were incomplete; to supplement them he had to have recourse to a branch of the tradition which was based on a codex which contained interpolations, and this branch then had its bifurcation: one side being the Dresden *Heldenbuch* and the other being represented by an incomplete manuscript and by the prints. The procedure he adopts is to base himself on the oldest and best manuscript (L); by the time this manuscript breaks off the "interpolated" branch is so independent that it cannot be used to fill the gap, but in the earlier part of the poem he does occasionally find himself in a position to fill in gaps from this source, in fact from the prints. The important thing to bear in mind, as I see it, is that the L manuscript is so obviously superior to anything else, and to be followed except when it is obviously corrupt, that there is not the same occasion as occurs elsewhere for meticulously weighing the merits of all branches: the practical consideration would appear to have been to use the Dresden manuscript and the prints only when it was quite inevitable (and if they promised some result) and to confine himself to considering each case on its merits—i.e. as a reading, and without going into the family relationship of each print and reading. The impression which one gains from looking at the textual apparatus is that discrepancies among the prints in these cases did not present a serious problem. One of these prints was from as early as 1491.

The question of principle, however, remains as to whether it is permissible to use all prints, regardless of age and before a thorough examination of their relationship. Experience from other poems is that the prints tend to be of one family and derived from a common printed source. It is quite true that the form of the original, parent, print may be reflected in the different readings of the different derivative prints, but experience seems to indicate that the proper way to proceed is first to establish the original printed form and to use only that for establishing the earlier form of the text; later prints can have readings which look temptingly genuine but which can be demonstrated to be of later origin, as I have been able to show in some readings in the *Hürnen Seyfrid*.

Other prints came to light in the succeeding years, and when C. Schorbach edited the facsimile edition of the 1491 print,¹ he was able to give details of eight prints, and to postulate from indirect evidence the existence of two more—with the further addition of possibly yet another which may have been used by Melchior Goldast in the seventeenth century. It is not his purpose in these Introductions to examine in detail the textual tradition, and he confines himself to referring to the view expressed by Wilmanns in the *Altdeutsche Studien* that the prints, although neither directly nor indirectly based on the oldest tradition, nevertheless occasionally preserve the original reading better than the other branches, and then expressing his own view that the eight extant prints agree in general among themselves, although each has its own, unimportant, deviations, orthographical peculiarities, and small mistakes. Schorbach suggests a division into three groups, the first of which is formed by the two (to his knowledge) oldest prints : the 1491 one and that of Hüpfuff of Strassburg of 1503. By implication he regards the second, and largest, group as being descended, even if indirectly, from the first ; I find no suggestion of a relative placing of the third group.

In the course of my enquiries, my attention was drawn by the Schweizerische Landesbibliothek in Bern to a further print, an incunable, the existence of which, as far as I can see, has not previously been announced ; this was done at Augsburg in 1494 by Hans Froschauer. The copy of this print is in the Kantonsbibliothek in Frauenfeld. According to the *Gesamtkatalog der Wiegendrucke*, vol. 7, cols. 807-8, there is in the Kantonsbibliothek in Frauenfeld a second copy (not seen by a member of the Commission) of the 1491 Hans Schaur print : what in fact this library has is : *Das ist her Ecken ausfart . . . das gar kurcz-weilig zü lesen vñ zü hören auch zü singē ist* ; the colophon reads : *Gedruckt zü Augspurg von hansen Froschauer vnnd vollendet auff mōntag vor Philippi vnd Jacobi jm .xciiij. jar* (i.e. 1494).

This print of Froschauer's is closely modelled on that of Schauer. The page arrangement is the same throughout, both for wood-cuts and text, apart from a very few cases where F has

¹ *Seltene Drucke in Nachbildungen. III. Ecken Auszfart* (Leipzig, 1897).

one line fewer on one page, which is made up on the next, or vice versa. In all cases except two the wood-cuts are very close copies of Schauer's, and in one or two may even be from the same block ;¹ the exceptions are No. 14 where Froschauer has used the same cut as occurs in both prints at 16, and no. 39. In strophe 46² (p. c iii) one line is omitted (l. 7) : this occurs at the bottom of a page, and so one may conclude that F forgot to insert it at the top of the next. Textually, the differences between the two prints are orthographical, with here and there an emendation by Froschauer, and, on the other hand, a slip.

The Frauenfeld copy is defective and lacks five leaves : (1) containing str. 62-64 ; (2) containing str. 81 and 82 and the twelfth woodcut ; (3) containing str. 105 and 106 and the fifteenth woodcut ; (4) containing str. 122-124 ; (5) containing str. 274 and 275 and the thirty-eighth woodcut.

In the case of *Laurin* we stand on much firmer ground, if only by reason of its being a part of the printed *Heldenbuch*, and it is as part of the complete *Heldenbuch* that the largest number of prints has been preserved to us : the (presumably) original print of c. 1480, the Augsburg one of 1491, that by Gran of 1509, that of 1545, and the two Frankfurt prints of 1560 and 1590. We only know of four separate prints, the earliest of which is by Hüpfuff of Strassburg in 1500. The relationship of prints and manuscript is clear :³ the manuscript and earliest print are closely related, although those who have examined both express the view that the print was not taken from the manuscript that was burned in Strassburg in 1870, and the later prints are in a direct line of descent from the *editio princeps*. Holz's task therefore in producing a critical text consists in assessing the relative value of the two, closely related, versions ; or, to put it differently, of checking one against the other. An examination of the apparatus shows that there were not many cases where he

¹ I worked with the facsimile of the Schauer print and photographs of the Froschauer, and so I cannot be more definite about the using of the same blocks.

² Numbers of strophes and wood-cuts according to the Schauer print, as reproduced by Schorbach, op. cit.

³ See above (p. 100) and the edition of G. Holz ; for details of prints see C. Schorbach, *Seltene Drucke in Nachbildungen. IV. Laurin*.

had to have recourse to a conjectural reading not found in one of his sources ; the substitution of the earlier long vowels for the more modern diphthongs (*wip* for *weip*) gives the text a genuine Middle High German appearance and has been done—as far as I can see without exception—entirely mechanically and without any interference with the structure.

The revision of the text which is recorded from the second half of the sixteenth century is of no significance for purposes of textual criticism—in this particular case, where we are so fortunately provided with earlier sources. It is, however, of the utmost significance in the question of textual criticism in general, in the warning which it gives. Hitherto the poem had been in the normal form of rhyming couplets familiar from the court epics of the thirteenth century, with lines of four stresses if the final syllable is stressed, or of three stresses if the final syllable is not stressed. The new version is based on the counting of syllables (and not stresses) : eight syllables if the last was stressed, nine if it was not, and with regular alternation of stressed and unstressed syllables ; at the same time the language was modernized. There is no change in the content. The first *dated* version containing this alteration is the complete *Heldenbuch* printed by Han and Feierabend of Frankfurt in 1560, and it occurs in the print of *Laurin* alone which was made in Nürnberg by Fr. Gutknecht : this is not dated but is usually thought to be of c. 1555. Schorbach, in his Introduction to the facsimile edition of the earliest print of the poem by itself, gives priority to this Gutknecht print and thus makes it the original of all the later modernized versions, although I have not seen any reason put forward why the “c. 1555” might not be a few years later and thus allow the priority of Han and Feierabend. It would make but little difference to the textual history of this particular poem, but it would be interesting to know with as high a degree of certainty as is possible who were the printers who showed such enterprise, or allowed themselves such liberties.

From the point of view of the history of literature one can welcome this revision, for it gives us evidence that the printing of these Middle High German poems was more than just a

case of keeping forgotten literature alive : a publisher thought it worth the effort, and no doubt expense, of producing an outward form more in keeping with present requirements. From the point of view of textual criticism it is (again I repeat, in this case) no danger, or impediment, for the tradition is clear and we have plenty of earlier and untouched versions upon which to base a critical text ; on the other hand we might not have had such good earlier evidence, and in other cases we certainly have not, and we could quite conceivably have been in a position of having to try to reconstruct the source upon which such a revision was based, and without knowing that it was a revision. The two opening lines will, I think, suffice in the way of illustration of how disastrous would have been any attempt which ventured any distance from what the preserved prints immediately indicated. In the *editio princeps* they read :

*Ir herren hie besunder
fernemente grosse wunder*

(Holz's critical text has *micheliu* for *grosse*, based on *michel* in the manuscript version) and in the revised version :

*Ihr lieben Herren hie besunder
Wölt jr vernemen grosse wunder.*

No doubt a lot of this could be made to look like Middle High German, but if it were it would be an artificial product : these lines (and the whole poem in this version) did not have a Middle High German source, an immediate source that is, but a late fifteenth-century one. This fifteenth-century poem did have such a source, but that is a very different matter.

Of all the poems we are considering, the *Wunderer* has appeared in the most recent edition : in fact it was not until this edition appeared¹ that the poem could properly be included in the present enquiry. The reason for this is that until the discovery in 1945 of the 1503 print we had no complete printed version to present us with a soluble problem ; hitherto conjecture could only be made on the basis of the fragment which von der Hagen had published in 1855² under the title *Etzels Hofhaltung*,

¹ *Le Wunderer*, ed. G. Zinc (Paris, 1949).

² *Heldenbuch*, ii (Leipzig, 1855), 529 ff.

but the fragment is too short for a full comparison to be made. As is revealed by Zinc in the Introduction, the problems are two : the relation of the prints to one another and the determination of their immediate source, and, secondly, the ultimate origin of the poem. In principle there is nothing fresh in this, but in practice the situation is rather different. In the first place there is only the one complete print—the fragment is so close to this that their relationship presents no problem—and this printed version is very close indeed to the one and only complete manuscript version, that of the Dresden *Heldenbuch*. Hempel discussed this relationship on the basis of the fragment of the print of 1518,¹ and Zinc re-examines it in the light of the new evidence available with the complete print. It is clear that the manuscript and the print present the same poem : the number of strophes is the same, and with very few exceptions each strophe has the same content, and to that extent we have a situation with an affinity to the *Laurin*. Textually, however, the position is different : there is not one strophe which is identical in both versions (Zinc, ed. cit. p. 21). Hempel was of the opinion that the print has preserved the original version reasonably well, but that the Dresden version represents a thoroughgoing revision according to the prevailing stylistic principles of the time. Zinc, with the additional evidence of the complete poem at his disposal, does not share this view ; this is not to say that he regards the print as being based on the manuscript (the presence in the print of str. 172, which does not occur in the manuscript, and which restores the balance of numbers which had been disturbed by the omission of what is str. 9 in the manuscript, makes that untenable), but he postulates a common source for both and attributes the divergences not to any deliberate revision by either, but to the effect of oral tradition. This view I regard as eminently tenable in principle ; critics are perhaps still rather too inclined to demand evidence of a written source in all cases, and this is only a normal part of the reaction against the earlier too great readiness to regard all the " popular " poetry as confined to oral transmission. There is good evidence in the works of our period to support this view of oral transmission—the passages in

¹ H. Hempel, *Untersuchungen zum Wunderer* (Halle-Wittenberg, 1914).

the strophic version of *Herzog Ernst* where the reciter (author?) interrupts the course of the plot, but not the rhythm or rhyme, to demand a drink of wine (13, 13 ; 61, 9 ff. ; 89, 12) are perhaps the best known, and there are plenty of others in the Dresden *Heldenbuch*, and the interposition of the author of the *Hürnen Seyfrid* (138, 7-8) might be included.

This very close relationship of the *Wunderer* in its printed version to the poem included in the Dresden *Heldenbuch* is, I think, one of the more important revelations resulting from the discovery and publication of the complete print.

The suggested solution of the second problem, of the ultimate origin of the poem, only concerns us indirectly. Our evidence for this purpose are the two fragments of the version in rhyming couplets, the one published by A. von Keller in *Erzählungen aus altdeutschen Handschriften*¹ and the other by K. Schiffmann, "Ein Bruchstück des Wunderers";² the manuscript of the former would appear to be from c. 1400, and the second, a print, is dated on typographical evidence at the end of the fifteenth century (Schönsperger of Augsburg). Zinc thinks, on the strength of vocabulary and language, that the original dates from the early fourteenth century and that this poem was used as the basis for the first strophic version. I know of no outside evidence for the existence of such a poem; but what is interesting from our point of view is that there existed side by side at the end of the fifteenth century a version in rhyming couplets and one in strophic form, and that they were both printed. One thinks in particular of *Laurin*, which appears in the Dresden *Heldenbuch* in strophic form, whereas in all the other versions rhyming couplets are used.

The circumstances of the transmission are sufficient to explain why there is no critical edition of this poem (the Zinc edition is a facsimile, with a critical introduction).

*Herzog Ernst*³ is preserved in a variety of forms, dating also from different periods; the earliest is placed in the twelfth century and the latest is from the period we are here concerned

¹ Bibliothek des litterarischen Vereins in Stuttgart, vol. 35 (1855).

² Zeitschrift für deutsches Altertum, 51 (1909), 416 ff.

³ *Herzog Ernst*, hrsg. K. Bartsch (Vienna, 1869).

with ; there are verse and prose versions, in Latin as well as in German. Of all these versions three are of immediate interest, in that they appear in print. First there is the German prose version which Bartsch calls the chapbook and which he reprints in his edition. The textual situation is straightforward and simple : there is a manuscript, of the second half of the fifteenth century, which had belonged to the monastery of St. Ulrich in Augsburg, and there are four prints. Three of these, including the earliest (Hain 6672), are from the Augsburg press of Anton Sorg, the fourth (Hain 6673) is thought to be from Strassburg. Bartsch examines the relationship of prints and manuscript (pp. lxxii ff.) and comes to the conclusion that the first is based on the manuscript (both are from the same town), and that the other prints are descended from the first : the Strassburg one and the second Augsburg separately and independently, and the third Augsburg direct from the second. There is therefore no textual problem and, from our present point of view, nothing but the interesting demonstration of the relationship of manuscript and prints : from Bartsch's comments it emerges that the prints are a close copy of the manuscript, so much so that, if necessary, one could attach reliance on the prints for establishing the original text.

There is a second prose version, much reduced in length and generally popularized in tone, which appeared much later. No manuscript is preserved, nor is there likely ever to have been one : I know of four prints (or five if one includes an eighteenth-century one), and I see no reason to suppose that these are anything other than later printers' efforts to supply reading material for a public which had no taste for the longer and more serious works, and one need look for no other source than the printed versions just referred to. Three of these later prints are dated : (1) 1568, printed by Martin Lechler in Frankfurt, (2) 1610, printed by Johann Schröter in Basel, and (3) 1621, by Marx von der Heyden in Strassburg ; the fourth, by Everaerts in Cologne, is not dated.

Of greatest interest in the present enquiry is the strophic poem. In general the situation remains the same as when Bartsch edited the poem (as part of the edition just mentioned) :

a manuscript version, in the Dresden *Heldenbuch*, consisting of fifty-five strophes (not fifty-four, as Bartsch thought¹), and a printed version of eighty-nine strophes. Bartsch came to the conclusion that neither of these versions represented the original form of the strophic poem, but that in general the manuscript version, as far as it went, was the better text. This of course presented him with considerable problems since there are thirty-four strophes which are not contained in this version. He was of the opinion that the authors of each of the two adaptations that we have had the original before them and made, independently, their alterations to suit their period, and, basing himself on those strophes which are common to both, and the rhymes and rhythms of them, he judged that this original poem is of considerably greater age than either of the preserved versions ; he postulated as a possibility the beginning of the fourteenth century (see pp. lxxx f. of his Introduction). These conclusions decided his editorial policy, and that was to print a text in the language of that earlier period. This may appear to some a little bold and so I think it will be in place to consider very briefly Bartsch's reasoning. If one takes each text separately, he says, then one finds a number of rhymes which would have been impossible before the fifteenth century ; so that if only one text had been preserved we would have had to regard the fifteenth century as the time of composition.

This, I might interpose at this point, is essentially the situation with which I was confronted with the *Hürnen Seyfrid*, for the prints are several in number but they all point conclusively to one print as the origin of them all and that a print not much earlier than 1520. In view of this, in spite of the undoubtedly antiquity of some of the lines, I decided in favour of caution and not to attempt to conjecture a thirteenth- or fourteenth-century text which may never have existed.

Bartsch proceeds by pointing out that nevertheless it never happens that both of the versions agree in having a rhyme which exceeds the liberties which could be regarded as acceptable in the earlier period, and which he indicates. Then comes the

¹ For the correction see R. Huegel, "Das Lied vom Herzog Ernst", *Beiträge zur Geschichte der deutschen Sprache und Literatur*, 4 (1877), p. 476.

real difficulty, and I suspect in Bartsch's statement of the position a certain uneasiness about the task he has set himself: the difficulty of reconstructing the original from the strophes contained only in the longer version owing to the absence of the check from the second, and textually better, source "allein an der Echtheit ihrer Grundlage zu zweifeln war kein Grund vorhanden, da b [the manuscript version] sich als eine verkürzte Bearbeitung bezeichnet. Der Versuch auch sie herzustellen lag demnach nahe; doch muss die Unsicherheit mancher Stellen eingeräumt werden. Ich habe mich darum entschlossen die zu sehr verderbten Verse nur durch Punkte im Texte zu bezeichnen und nur in den Anmerkungen Besserungsvorschläge gemacht."¹ The cases in which he had to do this are very few in number and on only one occasion exceed a line in length.

In certain particulars, however, there have been some important changes since Bartsch's edition appeared. He had available to him only one print, by Kunegunde Hergotin of Nürnberg, undated, but presumably of about 1530;² an earlier one, printed by Johannes Spörer of Erfurt in 1500, was only known to him by report—and still is only so known. He expressed doubt whether it would be possible, even if this print were available, to improve his own critical text. We now have further material: (a) a manuscript of the longer, printed, version³ and (b) additional prints: (1) Hans Froschauer, Augsburg, 1507; (2) by Thiebolt Berger, Strassburg, [c. 1560]; (3) by Arnt von Aich, Cologne, [between 1514 and 1526]; (4) by Eusebius Schmid, Frankfurt am Main, 1568; (5) an eighteenth-century print, a derivative, of Basel. Nos. 2, 3, and 4 have been known for some time,⁴ but no use would appear to have been made of them by subsequent writers on *Herzog Ernst*: there is no mention of them in the article (1955) in Stammler's *Verfasserlexikon*; 5 was dealt with in detail by Stickelberger in *Zeitschrift für deutsches Altertum*, 46.

¹ Ed. cit. p. lxxxii.

² Cf. BULLETIN, vol. 35, No. 1, p. 66 and n. 3, with references to specialist literature.

³ Reported on and reprinted by Huegel (see above).

⁴ That by Berger was mentioned by Lindemann, op. cit. p. 2; that by Aich has been referred to by Sonneborn and Hildebrand (see below); that by Schmid by C. Schorbach, *Seltene Drucke in Nachbildungen. III. Ecken Ausfahrt*, p. 35.

As far as I know, the print by Froschauer is referred to here for the first time ; it was brought to my attention by the University Library in Tübingen in answer to an enquiry I made. The copy there is defective : it contains str. 1-3, 12 ; 15, 9-18, 7 ; 25, 6-42, 12 ; 48, 11-66, 4 ; 69, 4 to the end : *Getruckt zu Augspurg in der kayserlichen stat von Hannsen Froschauer. Anno domini. M.cccc. und. viij.* There are no wood-cuts or headings for wood-cuts.

The exact determination of the relationship of all the new material available would involve more detailed textual analysis than would be in place here, and I am preparing a separate account, giving full details of the textual position and of its impact on Bartsch's text. In anticipation of this I will state here—as relevant to my theme—the position in general terms. This is that the one print known to Bartsch, that of Hergotin (H), is by far the least satisfactory : once or twice it contains a better reading than the others (by better I mean approximating more nearly to strict Middle High German usage, and making better sense and giving better rhymes), but against this there are so many occasions where it stands out as the work of someone who is less concerned with such criteria. Those by Schmid (S) and Berger (B) share many peculiarities in a way which establishes their close relationship, and several times these readings (e.g. 2, 2 (*so* for *do*) ; 16, 9 (*sol* for *mag*)) are better than those of H. Although these two prints are certainly later than H they would have been a better guide for Bartsch than that print ; they probably had a common source which was older than H. By far the best witness is Froschauer (F), and it is the oldest : time and time again it has better (in the same sense as above) readings than the others. The Cologne print (A) is unequal in value and reliability ; the date suggested is on the basis of the information that Aich was printing in those years.¹ It was first mentioned by K. Sonneborn ;² it is referred to later by E. Hildebrand,³ who quotes Sonneborn as saying that it is of little or no value

¹ See J. Benzing, *Buchdruckerlexikon des 16. Jahrhunderts (deutsches Sprachgebiet)* (Frankfurt a/M., 1952).

² *Die Gestaltung der Sage vom Herzog Ernst* (Göttingen, 1914).

³ *Über die Stellung des Liedes vom Herzog Ernst* (Halle, 1937).

in view of its being an adaptation into Cologne dialect of a High German, probably Nürnberg, print which often does violence to the rhymes and sense by using local words. That is to an extent true—it does do such things—and it would therefore not be safe to trust it alone, but the presence of the Froschauer print makes all the difference, in that time and time again A shares the good readings which mark off F from all the rest. It is clear to me that A is based either on F or on a source very similar to F. Against the general trend, there are cases where F corrects errors and omissions which occur in the manuscript, and, less frequently, where the later prints supply deficiencies common to manuscript and F.

This account of the prints is based on the prints alone and was for the most part drawn up without reference to anything outside them. The outside evidence is the manuscript referred to above which was acquired in 1872 (three years after Bartsch's edition) by the Royal Library in Dresden; it bears the date 1451, and contains the first seventy-one strophes, breaking off in the middle of the last line of str. 71.¹ The really interesting feature for the present enquiry is the very close similarity of manuscript and F; the readings which characterized F as being superior to all the other prints are also the readings of the manuscript. The print is not an exact reprint from the manuscript, such as we should demand today—it would indeed be extraordinary if it were—but there can be no doubt that there was no other source for F than this manuscript. This is not necessarily the same thing as saying that Froschauer had this actual manuscript in his workshop: he may have had a copy of it or he may have copied from a print which had used it, perhaps even the lost Spörer print; the point I wish to make is only that the similarity of the two is so close as to preclude the likelihood of any other source, except in the modification here proposed.

My introduction of the Spörer print at this point is not purely a matter of fancy. We do not know the text of this print—except to a very limited extent, and by a lucky chance: Panzer

¹ Details and text in the article by Huegel (see above).

mentions the print¹ *Herczog Ernsts ausart, wirt hye geoffenbart.* || *Mit neunundachtzik gesetze*² *Ein keiszer ward er zu lecze*: and he quotes the last strophe, thus giving us a very important clue. There is only one important point where F (and A) differ from the other prints (in this strophe) and that is in the reading *was grosser* instead of *wann grosse*; ² this is obviously the correct reading, it occurs in the Dresden *Heldenbuch*, and it is adopted by Bartsch for the text—and it is the reading of the Spörer print. This, of course, is not much evidence to go on—in quantity, although it is clear in quality—and I do not propose to make rash assertions on the basis of it, but it does present us with the following situation: throughout the seventy-one strophes preserved in the manuscript, the manuscript and F accord very closely, often to the point of identity, and there can be no doubt about their close connection. There is, however, a print of intermediate date; of this we only have the one strophe, and that a strophe which is not included in the manuscript, but it does appear in the print F and—it accords with F as closely as F has hitherto accorded with the manuscript. I therefore put forward as a very real possibility that the Spörer print was made from the manuscript and that F was made from that print; that there were no serious textual divergencies either between manuscript and prints or between the two prints; and that the final strophes of the poem in F (from where the manuscript breaks off in the last line of 71) give us a very fair substitute for the missing part of the 1451 manuscript; and that, further and finally, this manuscript and the Froschauer print make good the loss of the Spörer.

If this reasoning is correct, Bartsch's supposition that the Hergotin print was just a copy of Spörer's is wrong (Huegel had already seen that on the basis of the final strophe quoted by Panzer); his doubt whether the presence of it would have helped in the establishment of the critical text is to that extent

¹ *Zusätze zu den Annalen der älteren deutschen Literatur* (Leipzig, 1802), no. 508 b (pp. 92 f.).

² The statement in von der Hagen and Büsching's *Literarischer Grundriss*, p. 183, that the Dresden *Heldenbuch* and the print agree "substantially" would not, today, be regarded as consonant with the facts.

justified that so many of his conjectures have been confirmed and justified. If he had had the Spörer print he would not have had to conjecture, for he would have had the correct reading in front of him. In other cases, notably 2, 2, he would have been able to improve his text. In any case, we can say with certainty that the Froschauer print would have served these purposes.

Closely related to the foregoing, although in some respects unique, is the short poem discovered by Karl Goedeke and published by him under the title *Koninc Ermenrikes Dôt* (Hanover, 1851); he estimates that it was probably printed c. 1560 in either Hamburg or Magdeburg. Textually the situation is simple: there is no other branch, either print or manuscript, nor is anything known about any earlier form of the poem, and consequently one can do nothing but reprint it as it stands. Historically it belongs to the group of poems centred on Dietrich von Bern (*Van Dirick van dem Berne, wo he . . . den köninck van Armentriken . . . vmegebracht heeft* is the heading in the print itself), but it contains material not known from other sources, and there is not sufficient evidence from other sources to assess its age with any degree of accuracy. As Goedeke points out, other poems are preserved in prints from the Low German area and in the language of that area, but in these other cases we have the High German counterparts, and of earlier date, so that all the evidence points to their being High German works which were transcribed by the printers at the time of printing. This may, of course, have been the case with *Ermenrikes Dôt*, but in this case there is no trace of a High German version. The appendix shows how the printing of these poems in general was concentrated in the South German area.

I have tried to show in the foregoing remarks that there has been considerable variety in the practice adopted by editors, and that this variety is due as much to the disparity of the material as to the deliberate choice of the editors; this disparity makes it impossible to formulate any fixed rules of procedure which one could claim were valid in every case—unless one might say that it is a principle that every case should first be examined in the light of its special problems. A few things, however, do emerge, which may be said to be generally applicable.

The first of these is that printers can adhere very closely to their manuscript models—we know, of course, that they do this in larger and more serious works, but we are here concerned with comparatively ephemeral literature. We see examples of this in *Laurin* and *Herzog Ernst*. The prints that do this are, however, the earlier ones : incunabula or, if not, only just outside the period. In these cases we may not rely on the print to be an exact reproduction of the manuscript, for omissions and corrections do occur, but this is no more than one manuscript does to another, and so does not invalidate such prints as legitimate evidence for reconstructing a critical text. In these cases it can happen that a mechanical transcription (of the new diphthongs into the older long single vowels) will produce an acceptable Middle High German text.

On the other hand there are examples of later prints which are characterized by great unreliability, showing evidence of loss of touch with Middle High German usage and consequent alterations of words and syntax ; some of the Nürnberg prints of c. 1530 come into this category. In the case of *Sigenot* we have a print as early as anything known in our group, and yet whole lines and even groups of lines show a form which is altered almost out of recognition from what is known in manuscript form, and in strophes which otherwise accord quite closely to the manuscript. We cannot say whether the print made the alterations or whether there was another, unknown, manuscript version which contained these alterations and from which the print copied. Be that as it may, it emphasizes again the need for extreme caution in handling a print, even an incunabulum.

One must beware throughout of alterations to the metrical structure ; this phenomenon occurs late in the case of the Gutknecht print of *Laurin* (assuming that it really was the work of Gutknecht), where it took the form of a systematic recasting in a different metre, which caused considerable verbal differences. In the early period, with the print of the *Heldenbuch* (c. 1480), we have the introduction of caesura rhymes, involving in many cases more than a mere changing of the order of the words ; the latter also occurred in the 1563 print of the *Hürnen Seyfrid*, also in Strassburg.

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It is my opinion that one does greatest justice to the prints by recognizing their limitations ; they occur not only at a time when the craft was new, or relatively new, and still searching for standards of procedure, but also at a time when there was considerable fluidity in the literary tradition, with many people concerning themselves in not always very critical form with preserving what they found of the older, treasured, material. They help us considerably, if only in showing how interest in these subjects survived ; they may even be able to help us in textual problems, but one must beware of taking them for more than they are, or claim to be, and of always seeing in them exact replicas of older poems.

APPENDIX

Places of printing of the poems mentioned, with the printers.

I include only those prints where the name of the printer or a characteristic address, or if necessary only the name of the town, is either stated or established as likely on the usual typographical evidence. The information is obtained from the standard works mentioned in the article, supplemented in a few cases by additional items which have come to my notice ; in these latter cases I have stated where there is a copy of the print.

AUGSBURG

- J. Bäumler, *Sigenot* [c. 1480].
H. Froschauer, *Ecken Ausfahrt* 1494 (in the Kantonsbibliothek, Frauenfeld) ;
 Herzog Ernst (poem) 1507 (in the Universitätsbibliothek,
 Tübingen).
J. Schaur, *Ecken Ausfahrt* 1491.
V. Schönigk, *Sigenot* 1606.
H. Schönsperger, *Heldenbuch* 1491 ;
 Wunderer (couplets version) [before 1500].
A. Sorg, *Herzog Ernst* (prose), three times (Hain 6672/4/5).
[H. Stainer, *Heldenbuch* 1545.]
H. Zimmermann, *Ecken Ausfahrt* [c. 1550].

BASEL

- Samuel Apiarius, *Hildebrandslied* [c. 1572-3].
J. Schröter, *Hürnen Seyfrid* 1592 (or 1594) ;
 Herzog Ernst (shortened prose) 1610.

BERN

- Matthias Apiarius, *Hildebrandslied* [between 1530-51].
Sigfrid Apiarius, *Hürnen Seyfrid* 1561.

COLOGNE

Arnd von Aich, *Herzog Ernst* (poem) [between 1514-26] (Germanisches National-Museum, Nürnberg).

Everaerts, *Herzog Ernst* (shortened prose) N. D. (Deutsche Staatsbibliothek, Berlin).

H. Nettessem, *Ecken Ausfahrt* [c. 1590].

CRACOW

I. von Prostitz, *Sigenot* 1597.

ERFURT

M. Maler, *Wunderer* 1518.

J. Spörer, *Sigenot* 1499 ;
Herzog Ernst (poem) 1500.

FRANKFURT am MAIN

S. Feierabendt, *Heldenbuch* 1590.

W. Han, *Hürnen Seyfrid* [after 1555].

W. Han and S. Feierabendt, *Heldenbuch* 1560.

M. Lechler (for W. Han's Heirs), *Herzog Ernst* (shortened prose) 1568
(Universitätsbibliothek, Tübingen).

Eusebius Schmid, *Herzog Ernst* (poem) 1568 (Stadtarchiv, Ulm).
(In the Frankfurt *Liederbuch*) *Hildebrandslied* 1582.

HAMBURG

J. Löw, *Sigenot, Hürnen Seyfrid, Laurin* [c. 1560]. (Printed together as "dre
kortwilige Historien".)

HEIDELBERG

H. Knoblochtzer, *Sigenot* 1490 and 1493.

LEIPZIG

N. Nerlich, *Hürnen Seyfrid* 1611 ;
Sigenot 1613.

MAGDEBURG

W. Ross, *Hildebrandslied* [c. 1600-1605].

NÜRNBERG

M. and J. Fr. Endter, *Sigenot* 1661 ;
Hildebrandslied 1661.

Chr. Gutknecht, *Hildebrandslied* [c. 1560].

Fr. Gutknecht, *Hildebrandslied*, twice [c. 1560] ;
Sigenot [c. 1560] ;
Laurin [c. 1555].

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NÜRNBERG (*contd.*)

Jobst Gutknecht, *Hildebrandslied*, twice [between 1517-1539].

K. Hergotin, *Hildebrandslied* [c. 1530] ;

Hürnen Seyfrid [c. 1530] ;

Herzog Ernst (poem) [c. 1530].

W. Huber, *Ecken Ausfahrt* 1512.

V. Newber, *Sigenot* [c. 1565] ;

Hildebrandslied [between 1550-1574].

G. Wachter, *Hürnen Seyfrid* [c. 1530].

STRASSBURG

Th. Berger, *Sigenot* 1560 ;

Herzog Ernst (poem) [c. 1560] ;

Hürnen Seyfrid 1563.

Marx von der Heyden, *Herzog Ernst* (shortened prose) 1621 (Westdeutsche Bibliothek, Marburg).

M. Hüpfuff, *Laurin* 1500 ;

Ecken Ausfahrt 1503.

J. Knoblauch, Snr., *Laurin* 1509.

Chr. Müller, *Ecken Ausfahrt* 1559 and 1568 ;

Sigenot 1577.

Chr. Müller, Jnr., *Ecken Ausfahrt* 1577.

Chr. Müller's Heirs, *Hürnen Seyfrid*.

[J. Prüss, *Heldenbuch* 1489.]

"uff Grüneck" (= B. Kistler), *Wunderer* 1503 ;

Sigenot 1510 (perhaps also in 1505).

Printer unknown, *Hildebrandslied* [c. 1500].

Printed at HAGENAU (about twenty miles from Strassburg) :

H. Gran (for Knoblauch), *Heldenbuch* 1509.

PETER THE VENERABLE¹

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Eight hundred years ago, on Christmas Day, 1156, Abbot Peter of Cluny, known to posterity as Peter the Venerable, ended his long reign of thirty-four years. Although his name is unfamiliar today to all save medievalists, his passing, which followed hard upon the death of St. Bernard three years earlier, does in fact mark the end of an epoch. With the disappearance of those two patriarchs, the great age of monasticism, the Benedictine centuries, came to an end, and the vast movement of reform known by the name of Gregory VII, which had derived its impulse and its ideal in large part from monks, slackened and changed its character. St. Bernard has never lacked admirers and biographers; Peter has been all but neglected, especially in this country.² It is for this reason that it seemed fitting to present the outlines of his portrait in this centenary year. Before doing so, however, it may be well to begin with a few words of introduction for those to whom Cluny is a name only, and perhaps not even so much as a name.

The great movement of reform that began in the tenth century, and which brought about a renewal and an extension of the religious life of Western Europe without parallel in the

¹ A lecture delivered in the John Rylands Library on Wednesday, the 9th of May, 1956.

² The works of Peter the Venerable are in Migne, *Patrologia Latina*, vol. 189; they are there reprinted from the *Bibliotheca Cluniacensis*. There is a moderately good article on him in the *Dictionnaire de théologie catholique*, xii (1933), 2065-2081, by Dom Séjourné, and a short appreciation, with bibliography, in J. de Ghellinck, *L'Essor de la littérature latine*, i (1948), 190-3. The only recent study is by Dom J. Leclercq, *Pierre le Vénérable* (St. Wandrille, 1946). Mr. Giles Constable, of Harvard and Iowa Universities, is preparing a critical edition of the letters, and is acting as co-editor, with Dom J. P. Muller, of a series of studies of Peter's life and activities, to be published by the Benedictines of the international college of Sant' Anselmo, Rome, in their series *Studia Anselmiana*, to mark the year of the eighth centenary.

medieval millennium, was in origin and in direction the work of monks and was primarily a spiritual renewal, though it manifested itself to contemporaries and to later historians most clearly in the revival of papal organization and in the contest between the Papacy and the Empire. Almost all its leaders were monks—Romuald, Peter Damian, Cardinal Humbert, Gregory VII, Anselm, Bernard, Urban II, Eugenius III—and it aimed, and in part succeeded, in monachizing the Church, by putting before the clergy, and even before the laity, monastic discipline and monastic practices and ideals as the universal way of salvation. This epoch, which succeeded the most lawless and dark period of continental history, had as its harbinger, its morning star, the foundation of the Burgundian abbey of Cluny in 910.

Cluny had in its origin nothing to distinguish it from similar new beginnings in the past save in one respect—the abbey had been put directly under the patronage of the church of St. Peter at Rome, thus freeing it from all dependence upon a local lord or bishop. Cluny prospered; the abbey came to have dependencies; and abbots of Cluny were called to reform other monasteries. Gradually there grew up a large group of monasteries following Cluniac customs. A series of saintly abbots kept standards high. But for a hundred years or so Cluny was no more than a great and influential abbey. The crucial change took place early in the eleventh century, under the saintly and long-lived Odilo, who ruled from 994 to 1049. He made of Cluny's dependencies and allies a single tightly organized family, within which only Cluny itself had complete autonomy and of which the abbot of Cluny was the sole and immediate head. He and his advisers at Cluny appointed all superiors and imposed all regulations; every individual of the dependent houses owed obedience directly to him. Odilo's prestige and that of Cluny itself in the century of religious awakening, led to the affiliation of more and more monasteries. The process was continued, with something like geometrical progression, under Odilo's successor, the equally saintly and long-lived Hugh the Great, who ruled 1049-1109. Under him Cluny touched its apogee, a great community of 300 monks, the cream of the religious and social élite of France, ruling over a network covering France,

Spain, North Italy, the Low Countries, and (after 1070) England, and extending even to the crusading kingdoms of the Levant. At Cluny itself Hugh rebuilt the great church on a still vaster scale ; the enormous Romanesque basilica was, with its transepts and towers, until the early seventeenth century the largest church in Christendom.¹ As abbot, Hugh ruled over more than a thousand monasteries, all of which shared to a greater or less degree in the tradition of rich and precious ornament, of elaborate ceremonial and of lengthy liturgical service, that was Cluny's interpretation of the monastic life.

As so often happens with an institute or empire, the moment of greatest external splendour occurs when the internal, spiritual decline has already begun. Cluny had grown too big ; the abbey was unwieldy and inelastic ; there was no scope for initiative and it passed the powers of a single ruler to keep the machine in function. Moreover, the community was feeling the weakening effect of wealth and the beginning of indiscipline. It was at this very moment, in 1098, that a new and dynamic monastic idea took shape a hundred miles away at Cîteaux, where a simple, austere, solitary, hard-working ideal, with a literal and strict interpretation of the Rule, set itself up against the more indulgent customs of Cluny. Cîteaux, after a difficult beginning, was launched upon an era of expansion and fame by the arrival of the young Bernard in 1112, and soon began, first by example and then by propaganda, to challenge Cluny's way of life, while at the same time it attracted the desirable recruits who twenty years earlier would have become Cluniac monks. While this was happening, the aged abbot Hugh died and was succeeded by Pons, an enigmatic figure, who after an undistinguished rule of a dozen years became a centre of broils and intrigues which led to his forced resignation in 1122. He was succeeded by an estimable monk, well on in years, Hugh II, who died within a few weeks. It was at this moment of crisis that the choice of the community fell upon a young prior of a dependent house, Peter, then some thirty years old.

¹ For this, see the long series of articles in *Speculum* by Dr. K. J. Conant, in which he gives an account of the excavations undertaken by him at Cluny for the Medieval Academy of America. The final article, containing a list of all the previous ones, is in *Speculum* xxix (Jan. 1954), No. 1, 1-44.

Peter, the ninth abbot of Cluny, came to be one of the most influential men in the monastic life of his day, and is as a personality one of the most striking even of that age so rich in notable men. He was an Auvergnat, born about 1092 into a noble family that later took the territorial name of Montboissier. Peter was the seventh son, named, as the family story had it, before his birth by abbot Hugh of Cluny at a meeting with his mother.¹ Of his six brothers one became archbishop of Lyons, another abbot of Vézelay, a third abbot of Chaise-Dieu, and a fourth prior of Cluny and abbot of Mâcon. His father was a devout knight who died clothed with the monastic habit; whereupon his mother Raingarde became a nun at the Cluniac nunnery of Marcigny. She was a woman of remarkable character and clearly, like Bernard's mother, was a moulding force in her son's life. She was made cellarar and became a second mother of her large community; she lived twenty years as a nun, to see her son become abbot of Cluny and her own spiritual father. News of her death came to Peter he tells us, as a sudden blow between the eyes from a heavy beam, and in a long letter to his brothers, he gives us many details of her life.²

The boy Peter was dedicated as a child to the monastic life by his parents and given a good literary education in the Cluniac priory of Sauxillanges. He was professed by St. Hugh in 1109. Cluny had a technique by which young monks who combined promise with noble birth were "hand-picked" or "groomed" for high office, and the system seems to have continued even under the unsatisfactory abbot Pons. Peter was made claustral prior of Vézelay abbey, and in 1120 conventional prior (i.e. ruling prior) of Domène, near Grenoble, and must have made his mark in both positions, for as has been seen he attracted the electors at Cluny in 1122, after their previous choice of a sedate elder had disappointed their hopes. It was often the way of that great abbey to pass over tried experience in favour of youthful promise

¹ Most of our information regarding Peter's life, apart from references in his own works and those of St. Bernard and his other correspondents, is derived from two lives, of which the longer and better is by a disciple, Ralph, printed in Migne, *P.L.* vol. 189, cols. 15-42. For the meeting between his mother and St. Hugh see *ibid.* col. 17. The abbey of Cluny was dedicated to St. Peter.

² Ep. ii. 17, cols. 208-228.

when choosing an abbot. The policy had proved its worth brilliantly with Odo, Odilo and Hugh ; it was to do so now again for the last time.

Peter took command at a very difficult moment. Cluny, during the long reign of Hugh, had begun to show signs of being overgrown and unmanageable. A blow, as yet not fully felt, had been struck at its spiritual hegemony by the foundation of Cîteaux, to be followed so soon by that of the kindred Savigny and Prémontré. Finally, the whole fabric, spiritual and economical, had been rocked by the maladministration of Pons, and Peter had been only a few months in the saddle when Bernard fired the first devastating round in the long warfare between the white monks and the black.¹ Outwardly, however, and in a way difficult for the imagination of today to capture, Cluny was still in pride of place. The abbey had recently given a series of popes to the Church, and the high places of the Curia were full of its sons. The vast basilica, rebuilt recently with unparalleled magnificence, was shortly (in 1132) to be consecrated by Innocent II. The community, some 300 strong, was to grow to 400 under Peter's rule, and the number of dependencies was to rise to 2,000.

The young abbot was physically strong ; he was by temper energetic and buoyant ; and he was intelligent, amiable and affectionate ; eager to understand and to unite warring interests. He was an aristocrat, like Bernard, and command came easy to him, but he was without a trace of vanity or intolerance, and his multitudinous letters remain to bear out the witness of contemporaries that he was all things to all men, and wished to rule by love and understanding rather than by fear or regulations. He came to his task with a love of Cluny and a loyalty to its best traditions, and he remained energetic in this service, and yet receptive of all higher influences, to the end.

The Cluniac body, vast as it was, had some of the characteristics of an army, held together by decrees and discipline, and with a strong *esprit de corps*. The abbot was constantly on the move, visiting key points on the farflung network, professing new members, appointing priors, visiting new foundations, and keeping in constant touch with Rome. Peter was six times in

¹ Bernard, *ep.* I in Migne, *P.L.* vol. 182.

Italy, twice in England (where his presence fluttered the dovecotes in patriotic abbeys which were shy of continental influence)¹ and twice, for long visits, in Spain. In the papal schism of 1130 he was decisive in support of Innocent II, whose cause was so vehemently adopted by St. Bernard, and he was subsequently used by the pope and his successors on more than one occasion. His significance in ecclesiastical politics might have been still greater, had not all other agents been thrown into the shade by the dazzling prestige of the abbot of Clairvaux.

Besides his constant activity as the effective head and sole representative of the Cluniac body, Peter found time to develop his talents as a theologian and patron of learning. He is indeed an exception—one of the very rare exceptions—to the remarkable judgement that historians must pass upon Cluny, that neither at the mother abbey nor throughout her great family was any literary or intellectual work of note produced. This was attributed by contemporaries to the breathless round of liturgical observance, which left neither time nor spirit for any kind of mental exertion. Peter, as abbot, was exempt from the daily round at Cluny, but it is remarkable that a man of affairs always on the move should have found so much time for writing. Besides his letters of business and friendship, to which we shall return, he wrote long doctrinal letters on the divinity of Christ and on the attributes of His Mother, in which he shows a candour and a preference for the literal interpretation of Scripture rare in his age.² He also wrote on the sacraments and three long pieces of controversy, one against the heretic Pierre de Bruys, defending baptism and the Eucharist, another against the Jews—one of the longest of the many pieces of controversy in a genre popular at the time—and the third against the Saracens, with whom he had come into contact, at least by hearsay, in Spain.³ Another and more remarkable result of his Spanish experiences was the organization of a team of scholars, including the well known Hermann of Dalmatia—“Hermann the German”—and the Englishman Robert of Chester, to translate the Koran—not,

¹ *Anglo-Saxon Chronicle*, ed. C. Plummer, s.a. 1130 [E text].

² Peter's *Epistola ad Petrum de Joanne*, P.L. vol. 189, cols. 487-508.

³ The three treatises are *ibid.* cols. 507 ff.

of course, for the study of comparative religion, but solely for controversial purposes.

As a background to all these activities there remained the constant burden of Cluny and its order. The vagaries of ex-abbot Pons, who in 1125 arrived with an armed force and endeavoured, in current jargon, to "stage a come-back", had shaken the mother abbey economically as well as spiritually, and a further blow was delivered to the economy in 1132, when the Pope freed the growing order of Cîteaux from the obligation of paying tithe, thus depriving Cluny of a considerable fraction of its revenue. In addition, the growth of the new orders and the exuberant propaganda of Bernard not only constituted a severe competition in what may be called the monastic market, but were of their very nature a challenge to the Cluniac ideal. We shall consider this more fully in a moment, but it is worth noting here that from c. 1132 onwards Peter was fully occupied on both the foreign and domestic front, in finding an answer to Bernard on the one hand, and setting his own house in order on the other. Sorrows multiplied upon him as he grew older. The communal movement gave trouble to Cluny itself and to many of the daughter-houses. The great abbey, overgrown and run by ancient machinery, fell deeply into debt, largely through lack of careful administration on the lowest levels, and was only saved from complete bankruptcy and a standstill by funds supplied by its old alumnus, the millionaire bishop of Winchester, Henry of Blois, who added to his benefactions in 1154 by residing as an exile in the abbey, where he carried the whole of the running costs of every kind for a year and used his unique competence as a financier to get some sort of order into the monastic economy. At the same time certain branches of the Cluniac family, notably in England and Italy, were growing restive under the strict paternal government from abroad. Finally, and most disastrous of all, the morale and discipline of Cluny itself and its immediate dependants were on the decline, and Peter, from at least 1132 onwards, was engaged in a series of attempts, by means of general assemblies and special regulations, to restore old standards and to graft upon the old monastic trunk some, at least, of the new branches that were bearing fruit in the world around him. As

we shall see, the tone of his utterances seems at times to hint that he was fighting a losing battle. Nevertheless, Peter never lost heart, nor did he lose his trust in Cluny, and one of his last works was his treatise *De miraculis*, which grew out of an account he wrote of his sometime prior and lieutenant Mathew, later cardinal bishop of Albano, and developed into a series of edifying and miraculous lives of Cluniac monks in his day.¹

Peter the Venerable is a representative of a short but illustrious phase of medieval culture, the literary renaissance of the century from 1050 to 1150. During that century, or rather from c. 1000 to 1120, the education universally given in every religious house and cathedral school was a literary one, based on a fair selection of the Latin classics and patristic writings, and resulting in a facility of self-expression and what may broadly be called a humane attitude to relationship with others. Before that epoch, letter writing, when not simply administrative, had been a scholarly *tour de force*; after that epoch, it became once more a purely practical accomplishment. During Peter's lifetime, on the other hand, communication with others was, as it had been in the days of Pliny and was again to be in those of Petrarch, the interchange of ideas by men of breeding writing to their equals. The men of the early twelfth century were well aware of this. They took pains over their letters; they preserved copies; they even published their own letters among their friends during their lifetime. As is well known, Bernard's secretary and biographer, Geoffrey of Auxerre, collected the saint's letters, established their order, and published them (surely with Bernard's permission) some eight years before their author's death. There is clear manuscript evidence that Peter's letters were collected and published (in the sense that they were copied and circulated in book form) during his lifetime or very soon after his death by his secretary, Peter of Poitiers, and there is evidence that he himself "revised for publication" the duplicates or drafts of his letters that he or his secretaries had kept by them. One might suppose that this would make the letters dull literary exercises, or at least impersonal treatises; both in the ancient and modern

¹ Peter's *Epistola ad Petrum de Joanne*, P.L., vol. 189, cols. 851-954.

worlds letter-collections of this insipid kind exist. In the twelfth century the prospect of publication carried with it no such inhibition. One can, indeed, think of few letters better calculated to give occasion for an action of libel than some of Bernard's more characteristic effusions, and although Peter was by temperament more restrained and impartial, many of his letters have a personal character that would in many epochs have made publication unconventional, if not impossible. The characteristic of Peter's letters is not, however, their vehemence or their variety. It is the spacious ease with which the abbot of Cluny writes as a friend to friends, one had almost said, as one educated gentleman to another. There is no display of authority, no sense of condescension ; rather, there is evidence of intimacy, of friendship, of equality. At the same time, it must be admitted that Peter as a letter writer is far behind the greatest. There is none of the electric force, the siren voice, of Bernard, still less the searing, blasting flame of his invective ; there is not the persuasive, affectionate, personal appeal of Anselm. When Peter writes¹ to his nieces Margaret and Pontia, who have heard of his recent illness and have told him what he ought to take for it, his reply lacks lightness of touch, and as we read the long quotations from the fathers and the exhortations to the young nuns to follow the example of their late grandmother, we cannot help feeling that for once, at least, Peter has missed an opportunity. But if he fails to reach the first rank, he never becomes merely conventional or artificial.

Of all the activities of Peter the Venerable, the most significant for the historian, and the most interesting and revealing to the biographer, is his reaction to the challenge made by the Cistercians and their champion St. Bernard to the traditional Benedictine life of which Cluny was the principal and in some sense the official exponent. Cîteaux had begun in solitude and obscurity, but once she had begun to multiply and spread, some sort of clash was inevitable. The white monks, whatever their original aim or desire, were in fact a protest, a challenge, to the black monks. Both followed the Rule of St. Benedict, but the

¹ Peter's *Epistola ad Petrum de Joanne*, P.L., vol. 189, vi. 39.

Cistercians followed it literally, whereas the Cluniacs had tempered it and followed it modified by customs of all kinds. It was inevitable that the Cistercians should regard the Cluniacs as degenerate, and should be regarded by them in turn as pharisaical. Even before Peter became abbot, Bernard had come into personal collision with Cluny when his cousin Robert was enticed thither from Clairvaux. With this episode, however, Peter had had no connection, and when first we find him writing to Bernard it is on large questions of principle.¹ He had not yet met the abbot of Clairvaux, but had become familiar with the usual Cistercian criticisms of Cluny and wrote to deprecate controversy. His theme is that the Cluniacs put charity before the law, if so they can save more souls, and that this is more in accord with the true monastic and evangelical spirit than a rigid severity.

Almost at the same moment, it would seem, Bernard launched his celebrated defence of Cîteaux, the *Apology* to William of St. Thierry, which modern criticism has separated into two parts; the original defence, and the spirited, not to say violent, attack on Cluniac abuses and luxury.² Like his earlier letter to his cousin Robert, this was not directed to Peter's address, and the abbot of Cluny never specifically alludes to it, though it is clear that he had read it. Meanwhile he and Bernard met, and it is the measure of the greatness of both that each recognized the other's sincerity. Henceforward they write as friends. To us it may seem that the magnanimity was on Bernard's side—the saint and the reformer acknowledging the good intentions of the conservative—but at the time it must have seemed a signal instance of humility and good will that the autocrat of the wealthiest and most distinguished body in Christendom should join the ranks of the admirers of the newly arrived abbot who had handled the traditional monks and their ideals so roughly.

¹ Peter's *Epistola ad Petrum de Joanne*, *P.L.*, vol. 189, i. 28. The stages of this long episode have often been retailed, e.g. by E. Vacandard, *Vie de S. Bernard*. For a summary account with references to sources see the present writer's *Cistercians and Cluniacs* (a lecture printed by the Oxford University Press, 1955); he is contributing an article on the reforming statutes of Peter to the centenary volume referred to in note 2, p. 132.

² Bernard's *Apology* is in *P.L.*, vol. 182, cols. 895-918.

Indeed, Peter did more than admire Bernard ; he imitated him. Whereas in their first exchanges he fought the abbot of Clairvaux point by point, he came later not by word only but also by deed to introduce into his own family some of the Cistercian reforms —a less luxurious diet, simpler clothing and even that shibboleth, manual work. It is significant, and also amusing, to find Peter, in a letter to his priors, borrowing as much as he can of Bernard's style in declaiming against the rich fare of the Cluniacs.¹ As the years passed the friendship of the two great abbots deepened. Bernard was not a restful bedfellow ; he was liable to fly off the handle (as the phrase goes) without any warning ; and the affairs of the Cistercian tithes and of the Langres election, when Bernard brought his whirlwind tactics to bear upon an apparently respectable Cluniac,² would have brought reprisals from any ordinary prelate. Peter remained unmoved, and when the time came gently put his case, setting Bernard's friendship above any quick success. He was rewarded with Bernard's respect and admiration ; indeed it is to the abbot of Clairvaux that Peter owes the surname by which he is known in history.³ For his part, he declared with sincerity that if he could find it in his conscience to leave his post, he would choose to enter the community at Clairvaux as one of Bernard's sons.⁴ Here again we do not perhaps fully realize what such an admission meant when coming from the head of a vast and proud family. Bernard's feeling is best expressed in a letter of c. 1150,⁵ where he addresses the abbot of Cluny as his most reverend father and most dear friend, and declares that his spirit is knit to Peter's, and that equality of love makes of unequal personalities two equal souls. Peter replied, disclaiming the title of father but welcoming that of friend.⁶ Both men indeed had a genius for friendship ; in this instance Peter was certainly the one to gain most.

The abbot of Cluny was the great peacemaker of his age, and

¹ *Ep.* vi. 15, col. 418.

² Mr. G. Constable discusses the Langres election in an article as yet unpublished.

³ Bernard, *ep.* 282 (*P.L.* vol. 182, col. 489).

⁵ Printed among Peter's letters, *ep.* vi. 2.

⁴ *Ep.* vi. 29.

⁶ *Ep.* vi. 3.

the most notable exercise of his gift was in the reconciliation of Abélard with authority and with St. Bernard. Abélard, seeing condemnation near at the council of Sens in 1140, when the bishops had been lashed into action by the abbot of Clairvaux in his most vehement vein, had appealed to Rome, only to be condemned in his absence. An ageing man, broken in spirit and bitter in heart, he set out for Rome, preceded, had he known it, by a broadside of letters from St. Bernard that would have galvanized the Seven Sleepers into action. On his way, which passed near Cluny, he fell in with Peter. The abbot poured oil and wine into his wounds, and at first encouraged him to proceed to Rome. Then, realizing that his cause was lost, he persuaded him to submit and ask for forgiveness ; he himself wrote to the Pope on his behalf. Abélard took his advice, grudgingly but sufficiently, and Peter then crowned his work by bringing about a meeting with Bernard, to which the saint, who never harboured ill-will, no doubt brought all his consummate charm and capacity for friendship. Then Peter persuaded Abélard to join his monastic family at Cluny, where he sheltered and cared for him till his death a few years later. It was an act of love well accomplished. What renders it more memorable still, however, is the sequel. A few days or weeks after Abélard's death, abbot Peter took it upon himself to make the circumstances known to Héloïse, abbess of the Paraclete convent, and the letter in which he did so is one of the most remarkable documents in the history of religious sentiment in the twelfth century.¹ Héloïse had in the past sent complimentary presents to the abbot of Cluny ; she now wrote to him, presumably for news of Abélard's last days. Peter, after excusing himself for a delay caused by pressure of engagements, embarks upon a long letter which must have helped to precipitate another congestion of duties. His opening is an excellent example of his courtesy :

" My regard for you (he writes) is nothing new ; it is, as I remember well, of old standing. For when I was still a boy and had not yet attained to full manhood, your reputation, I will not say as yet for devotion, but for intellectual interests, had reached me. I heard in those days that a woman, although still

¹ Ep. iv. 21.

caught in the toils of this world, was giving all her care to the pursuit of letters and the study of philosophy, and could be drawn from this by no worldly trifles or delights. At this time, when few men could be found so industrious, you had surpassed all women, and almost all men."

After this auspicious beginning Peter wanders somewhat, but after a page or two expresses his wish that Héloïse had given herself to the Cluniac nunnery of Marcigny, where his own mother had taken the veil. This was not to be, but it had been granted him to receive at Cluny "your own master, Peter, that servant and true philosopher of Christ, always worthy to be named with honour, whom divine providence sent to Cluny that he might bring in his person a treasure more precious than gold and the topaz". He then goes on to describe Abélard's edifying manner of life, his last illness, and his death, and ends with a long and involved, but extremely eloquent passage; "Him then" (he writes) "revered and most dear sister in Christ, to whom thou didst cling with a God-given charity far stronger than your first earthly love—him, with whom and under whom you served the Lord for so long—him, I say, Christ Himself in thy stead, as another Héloïse, cherishes in His bosom, and keeps him to restore him to thee at the coming of the Lord, at the voice of the archangel, and the trumpet of God."

Sympathy, we may well feel, and candid acceptance of the past, could not well have gone further.

Peter followed his letter with a visit to the Paraclete, when he offered Mass for the nuns and preached in their chapter. The occasion was no ordinary one, for he brought with him the master's body, to be buried in the nuns' church. Héloïse, who still had a mother's love, followed up the visit by a request that Peter would find a prebend for her son Astrolabe at Paris or elsewhere,¹ and the series of letters ends with Peter's reply, in which he accepts Héloïse's son as if he were his own, and promises to do his best for a benefice, though warning her that bishops are tough customers when it comes to parting with rich prebends.²

Peter died, long-lived but still at the height of his powers, in

¹ *Ep.* vi. 21.

² *Ep.* vi. 22.

the last days of 1156, with his heritage of Cluny still intact. His death, as has been said, marked an epoch. He had spent his life in the service of an ideal that had become outmoded or at least outbidden, and of a society that had ceased to lead its age. He had arrested the decline, and the lustre of his personality had done much to conceal what could not be remedied. When he went, the void could not be filled. Cluny was never again the glory of the monastic world. After recording Peter's death, the Maurist annalist felt constrained to add "from this moment that venerable body lost its ancient splendour, which it was never again to recover in its entirety".¹

With Peter went also a very noble type of monk and abbot. We in England, brought up to know Abbot Samson of Bury, and the feudal abbots of the twelfth century, dim medieval figures for the most part, do well to realize that there were in that age men of the mould of Peter, humane, wise, charitable, of the type familiar in later French history—the family of François de Sales, of Fénelon, of Blosius—the aristocrat who is also a spiritual father, a man of wide education, of statesmanlike ability and of a deep piety that borders upon sanctity. Peter was never officially canonized, and although his contemporary biographer retails incidents in his life that might be considered near-miracles, neither these, nor the record of his actions, nor the witness of his letters, ever convey to us the authentic touch of sanctity, the direct vision, the imperative call, the glimpse of a life that re-enacts in its own idiom the life of Christ. His sons of Cluny, however, made something of a cult of his memory ; they did not succeed in prefixing to his name the title of saint, but they had another word of honour at their disposal, and the Maurists of the seventeenth century perpetuated the epithet by which he will always be known to history.

¹ *Annales O.S.B.*, ed. Lucca 1745, vi. 528-9. "Quo ex tempore sacra illa congregatio priscum splendorem, haud scio an aliquando ex integro redditum, amisit." The sentence is presumably by Martène, who produced the volume after the death of Mabillon.

THE ENGLISH CISTERCIANS AND THE BESTIARY

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THE Cistercians first came to England when Waverley was founded, in the line of descent from Cîteaux, in 1128. Better known are the Yorkshire abbeys, which came into being four years later : Fountains, the outcome of a reform movement at St. Mary's, York, and Rievaulx, founded by St. Bernard from Clairvaux and always associated with the name of St. Aelred. The past few years have given us the first editions of Aelred's contemporary biography,¹ of some of his sermons and of his last work, *De Anima*.² Certainly this interest in Aelred and the school of writers in which he was a leader will increase with the approach of the eighth centenary of the saint's death in 1967. The present study is undertaken with the idea that anything has some importance which may have been a source, even indirect, for such writers, or a part of their cultural background.

1. *The Bestiary*

The original bestiary was a Greek book called *Physiologus*, a naturalist's collection with each item followed by some Christian allegorizing. Thus, at the beginning, the lion is said to conceal his tracks from the hunters with his tail. Just so the Lion of the tribe of Judah concealed His Godhead when He took flesh in the womb of Mary. When M. R. James wrote an introduction to a bestiary facsimile in 1928, he was so cautious as to assign our first knowledge of *Physiologus* to the fifth century A.D., on the ground that Origen's reference was known only from a fifth-century translation by Rufinus.³ Dom J. B. (later Cardinal)

¹ *The Life of St. Ailred of Rievaulx*, by Walter Daniel ; introduced, Latin text edited and translated by Sir Maurice Powicke (Nelson, 1950).

² *Sermones Inediti B. Aelredi*, edited by C. H. Talbot (Rome, 1952). *Ailred of Rievaulx. De Anima*, idem (London, 1952).

³ *The Bestiary*, facsimile of MS. Cambridge Univ. Library, Ii. 4. 26, with Introduction, Roxburghe Club (1928), p. 4.

Pitra, writing in 1855, maintained that the author had given a definite form to his collection at the beginning of the Christian era, and that the naturalism, if not the allegorical interpretation, was known not only to Origen but to Clement of Alexandria.¹ Emmanuel Walberg, in 1900, had no doubt that the *Physiologus* dated from the second century.² This early dating could probably be supported by a study of the ancient versions which are extant, e.g. Ethiopian, Armenian, Syriac.

Physiologus first put on a modern vernacular dress (I purposely avoid saying "was translated") in England in the reign of Henry I. This is much to our point, for not only does this paraphrase, taken from the Latin, belong to the century of St. Aelred, but the oldest surviving manuscript comes from a Cistercian monastery. Philippe de Thaün belonged to an old family of this name, which had probably left its home near Caen to come over with William the Conqueror. The poet was connected with the court of Henry and wrote his first work, the *Comput*, under the royal patronage in 1119. In 1121 Henry took Aelis of Louvain as his second wife. Now the king was interested in animals and had even set up a zoo at Woodstock. Lions, leopards, lynxes, camels and a porcupine, are specially mentioned by William of Malmesbury. So it was probably at the king's suggestion and soon after the royal marriage that Philippe dedicated his *Bestiaire* to Queen Aelis.³ Only three manuscripts of the work are known: (1) British Museum, Cotton, Nero A v, from the monastery of Holmcultram, twelfth century; (2) Merton College, Oxford, 249, thirteenth century; (3) Copenhagen, Royal Library, original royal stock 3466, late thirteenth century. When Emmanuel Walberg edited the old French text in 1900, he was able to say that Philippe was the oldest Anglo-Norman poet whose work had survived.

The Greek *Physiologus* was first printed with Latin version

¹ *Spicilegium Solesmense* (Paris, 1855), iii, p. lxvi.

² *Le Bestiaire de Philippe de Thaün* (Paris and Lund), with quotation from Friedr. Lauchert, *Geschichte des Physiologus* (Strassburg, 1889).

³ "The Historical Background of Philippe de Thaün's *Bestiaire*", by A. H. Krappé, in *Modern Language Notes*, lix (1944), 325-7. Quotations from William of Malmesbury, *De Gestis Regum Anglorum*, v. 409, ed. W. Stubbs, ii, p. 485; Henry of Huntingdon, *Hist. (Rolls Series)*, p. 244.

and annotation in an edition by Ponce de Leon, dedicated to Pope Sixtus V in 1587. On the authority of three manuscripts it was attributed to St. Epiphanius, bishop of Salamis in Cyprus (ob. 403). Dom J. B. Pitre edited the text from six Paris manuscripts in 1855.¹ He acknowledged that the old attribution to St. Epiphanius was supported by ten manuscripts. However, Epiphanius is only one of a list of twenty-three who have been credited with the *Physiologus*, including Solomon, Aristotle, Saints Ambrose, Jerome and John Chrysostom.² An English translation has been made by James Carlill, based chiefly upon E. Peters' critical edition which had resulted from collation with oriental versions.³

The Greek *Physiologus* has not an immediate bearing upon our present study. Our Cistercian writers knew it, if at all, only through the twelfth-century bestiary which developed from it.⁴ The earliest Latin prose bestiaries are hardly more than translations of the *Physiologus* and are represented by the MSS. Berne 233, eighth century, Berne 318, ninth century, Brussels Bibl. Roy. 10074, tenth century. Of later twelfth-century bestiaries the most representative is considered to be Bodl. Laud Misc. 247. The best known is Cambridge Univ. Library II. 4. 26, because the text with its pictures has been edited in facsimile, so that the manuscript itself can virtually be read in all our best libraries and universities. These texts supplement *Physiologus* with extracts from the *Etymologies* of St. Isidore, so that eventually the greater part of the bestiary is found to have Isidore as its immediate source. The development and distribution are almost confined to England. M. R. James, leaving aside the entirely distinct vernacular or metrical works like that of Philippe de Thaün, records forty manuscripts of this standard English bestiary, divided according to their sources and arrangement into

¹ See p. 147, n. 1.

² Op. cit. pp. lxiii, 101. For attribution to Solomon see I (Vulgate, III) *Kings*, IV, 33.

³ In *The Epic of the Beast*, published by Routledge, bearing no date but with bibliography reaching 1919. E. Peters, *Der Griechische Physiologus und seine orientalischen Übersetzungen* (Berlin, 1898).

⁴ See the account of this development in M. R. James's Introduction to *The Bestiary*, already mentioned.

four families.¹ Bodl. Tanner 110 seems to have equal claims with some already on the list and so may be added.

In 1954 T. H. White published the first English translation of the bestiary, as distinct from the *Physiologus*.² The translation is made and the pictures reproduced from James's facsimile, except where a few lacunae have to be filled up from another manuscript. The work is well done and is most informative, with its footnotes and subsequent commentary. It is professedly recreational rather than academic.

This short introduction is meant in part to show what manuscripts and printed works lie behind the present study. For the Greek text of *Physiologus* Dom Pitra's edition has been used. At the British Museum, Stowe 1067, early twelfth century, has been examined as representative of the first family of bestiaries. Most of the work has been done from the rather later manuscript of the second family, Cambridge Univ. Library Ii. 4. 26, i.e. from the photographic facsimile kindly lent by the librarian of Nottingham University. British Museum Add. MS. 11283 has been compared with this, found generally in agreement and occasionally used to supply for a missing leaf. These two in fact represent the bestiary as it is most likely to have been known to St. Aelred and his contemporaries. Sir Sydney Cockerell gave kind hospitality and the use of his fourteenth-century bestiary, which is probably from Fountains. Certain bestiaries have been left aside as having little bearing upon the question in hand, e.g. of William the Clerk, Peter of Picardy, Theobald of Monte Cassino, the thirteenth-century Old English version in Arundel MS. 292. On the other hand, Cotton MS. Nero A v, of Philippe de Thaün, has been examined with interest. The Cistercian provenance of this and a few others will be discussed later.

2. *Cistercian Asceticism*

Those who know something of early Cistercian preferences may think it unlikely that the monks knew and used the bestiary. The first *Instituta Generalis Capituli* have the following :

¹ Op. cit. pp. 25, 26.

² *The Book of Beasts*, published by Jonathan Cape.

Quod animalia vicium levitatis ministrantia non nutrientur. Certum est, nos qui miliciam monachilem arripuimus, debere in cenobiis honeste gravitati ac regularibus disciplinis, non levitatibus aut jocis vacare, et ob hoc horum fomenta viciorum a sanctis locis elongari oportet, scilicet cervos, ursos, grues, ceteraque talia levitatum irritamenta.

The text is that of Laibach MS. 31.¹ The collection of statutes, long dated 1134, should be attributed to the General Chapter of 1151: but a similar prohibition can be found expressed incidentally in a statute of 1119.²

St. Aelred himself writes in his *Speculum Charitatis*:

Inde etiam in claustris monachorum grues et lepores, damulæ et cervi, pisces et corvi . . . non quidem Antoniana et Machariana instrumenta, sed muliebria oblectamenta; quae omnia nequaquam monachorum paupertati consulunt, sed curiosorum oculos pascunt.³

All this is against keeping pets: it is a different matter to have pictures of them in a book. However, St. Bernard's words are well known:

Caeterum in claustris coram legentibus fratribus, quid facit illa ridicula monstruositas. . . . Quid ibi immundae simiae? Quid feri leones? Quid monstruosi centauri? Quid maculosae tigrides?⁴

He is evidently speaking of pictures or sculptures on a wall. But Aelred says again in more general terms:

Sed illam te noli quasi sub specie devotionis sequi gloriam in picturis, vel sculpturis, in pennis avium, vel bestiarum aut diversorum florum imaginibus variatis.⁵

These texts seem more to the point, when it is remembered that the standard bestiary of the time was always strikingly illustrated.

3. *Texts*

However unlikely *a priori* it may be that Cistercians had bestiaries, we must now consider the evidence of three authors whose works are accessible in print.

¹ *Analecta Sacri Ord. Cist.* vi (1950), 26.

² "Pour une nouvelle datation des Institutio[n]a . . .", J. A. Lefèvre, in *Collectionne Ord. Cist. Ref.* (1954): see pp. 245, 256.

³ ii 24. Migne, *Patrol. Lat.*, 195, 572. Cf. *ibid.* 600.

⁴ *Apol. ad Guill.*, n. 29. Migne, *ibid.* 182, 915D-916.

⁵ *Regula Inclusarum*, cap. 36. *Inter opera S. Augustini*, Migne, *ibid.* 32, 1462.

St. Aelred entered the abbey of Rievaulx probably in 1134, became abbot of the new foundation of Revesby in 1142 and returned to Rievaulx as abbot after five years. The work already quoted, *Speculum Charitatis*, belongs to the first period at Rievaulx as novice-master : the *Regula Inclusarum* was written for the author's sister some twenty years later. Quotations will be taken most often from the collection of thirty-two sermons *De Oneribus Isaiae*, a commentary on the 13th and following chapters of the prophet written between 1158 and 1163. The surviving sermons for the feasts and seasons may derive from any period during the saint's abbatial rule. He was at work on his *De Anima* when he died on 12 January 1167.¹

Gilbert of Hoiland was abbot of a monastery at Swineshead, Lincolnshire, which with Savigny had passed to the Cistercians, and superior of an adjoining convent of nuns. A friend and admirer of St. Aelred, whom he survived by five years, he is known chiefly for his continuation of St. Bernard's Sermons *In Cantica*.

Baldwin, of Devonshire origin, left the office of archdeacon to enter the Cistercian monastery of Ford in his native county. He was very soon elected abbot. We do not know how long he was able to remain in his monastery before becoming bishop of Worcester and finally archbishop of Canterbury. He died with the crusaders in Syria in 1193.

It may be asked why no account is taken of Isaac, abbot of Etoile in the line of Pontigny. Although Isaac was an Englishman, his monastic life and writing belong to a foreign environment, so that he is not an "English Cistercian" in the sense of this essay.

The available works of Aelred, Gilbert and Baldwin, have been searched throughout for anything reminiscent of the bestiary. None of these seems to have been subject-indexed, except for the most recent twenty-four *Sermones Inediti* of Aelred, so it would be rash to claim that the findings are complete. In the analysis which follows Cistercian texts are placed

¹ See *Life of Aelred of Rievaulx*, ed. by Sir Maurice Powicke (1950), pp. xc-xciv. It is necessary to adopt one spelling of Aelred rather than another and this involves an occasional discrepancy in a title or quotation.

beside those of the bestiary and others indicated which were evidently immediate sources for the bestiary or possibly for the Cistercian authors themselves. These sources have not been lifted straight from the Introduction to James's *The Bestiary*. All indeed have been verified save in one or two cases where it is acknowledged that they are taken at second hand, but much fewer would have been found if James had not already pointed the way.

In the references B always means MS. Cambridge Univ. Library Ii. 4. 26, and is followed by the number of the folio. Quotations from any manuscripts are given with the actual spelling and punctuation. *PL* is Migne's *Patrologia Latina*, followed by numbers of volume and column. Since all the places in Isidore are from the twelfth book of his *Etymologies*, it is enough to give the reference to Migne. "From Isidore" usually means verbatim. The *Physiologus* is cited with the chapter number, though this varies slightly from one recension to another, and the page in Cardinal Pitra's *Spicilegium Solesmense*, vol. iii. For Philippe de Thaün line numbers are taken from E. Walberg's edition of the *Bestiaire* (Paris and Lund, 1900). Those places of Aelred which were unknown to Migne are taken from the editions by Dr. C. H. Talbot, either the *Sermones Inediti Beati Aelredi Abbatis Rievallensis* (Rome),¹ or the *De Anima* (London), both 1952.

Most of the texts which follow are from Aelred, a few from Gilbert, two only from Baldwin. It will be our subsequent task to consider whether these authors drew upon the standard bestiary of their time or rather upon the earlier sources here indicated.

The first group of passages (from *asinus* to *caper*, pp. 10-12) shows only how some animal is associated with one word. Even if this association seems too obvious to demand a literary source, we find one epithet in particular, e.g. for *pardus* always *varius*, not *maculosus*, which is joined to *varius* only once.

¹ The editor has briefly discussed, on page 15, the bestiary as a possible source for St. Aelred. His suggestions have several times served as directives for the present study.

ASINUS

Aelr., *Sermo in Ramis Palmarum* 2, *PL*, 195, 268 : Per asinam et pullum possumus non inconvenienter accipere . . . carnem et animam. Per asinam, carnem propter *tarditatem* et gravitatem.

LUPUS

Aelr., *Sermo in Adv. Domini* 1, *PL*, 195, 215 : Alius vestrum nonne erat quasi lupus, quando vivebat de *rapina*, et studebat quomodo posset res alterius *rapere*?

CANIS

Gilb., *In Cant.* 23, n. 6 ; *PL*, 184, 123 B : In canibus non dilaceratio sed *latratus* commendatur. Canes muti, dicit Isaias (lvi. 10), non valentes *latrare*.

B fol. 25 : Asinus . . . animal quippe *tardum* (from Isid. *PL*, 82, 429).

B fol. 17 : Lupus . . . rabie *rapacitatis* quaeque invenerunt trucidant . . . lupus a *rapacitate* dicitur . . . *rapax* autem bestia (from Isid. *PL*, 82, 437-8).

B fol. 18^v : Canis nomen latinum grecam ethimologiam habere videtur. Grece enim cenos dicitur, licet quidem (quidam?) a canore *latratus* appellatum existiment. eo quod in so(fol. 19)nat unde et canere dicitur (from Isid. *PL*, 82, 438).

ERICIUS

Aelr., *Serm de Onerib.* 20, *PL*, 195, 441 : Anima . . . instar ericii suis armatur *spinis*, confidens in virtute sua, et in multitudine divitiarum suarum superbiens.

B fol. 29 : Ericius . . . subrigit se quando *spinis* suis clauditur, quibus undique protectus sit contra insidias (from Isid. *PL*, 82, 441).

Aelred has the name *ericius* from the biblical text on which he is commenting (*Isaias* xiv. 23). The association with *spinae* is, more than any other, too obvious for remark, but the pertinent passages are given here for the sake of completeness.

PARDUS

Aelr., *Sermo in Adv.* 1, *PL*, 195, 215 : Pardus est animal quoddam plenum *varietate* : tales fuerunt aliqui vestrum, per calliditatem, per deceptionem, per fraudem. De Onerib. 26, ibid. 468 : In pardis *varietas*, in *varietate* intelligitur impietas. Ibid. 27, ibid. 474 : Est autem pardus animal maculosum et *varium* : quod vitae et moribus congruit hypocritarum. Gilb., *In Cant.* 29, n. 5 ; *PL*, 184, 152 C : Pardus depositus *varietates suas*, totus immaculatus effectus, totus unius coloris, id est unius fidei et moris. Velut pardus quidam videtur homo haeretici dogmatis *varietate* respersus : sed et nihilominus pardo similis est homo dissimilis sibi, homo *varius* et inconstans, et subinde mutans consilia. Quasi enim, ut ita dicam, vult et non vult pardus.

Against all the above we have only to place the opening sentence of the bestiary section : B fol. 4 : *Pardus est genus varium* (from Isid. *PL*, 82, 435).

HIRCUS, TAURUS, ARIES

Baldwin, *De Sacramento Altaris*, *PL*, 204, 648 : Ne deinceps esset *lascivus* et *petulans* ut *hircus*, non detrectans jugum obedientiae ut *taurus cervicosus*, ne cornibus elationis armatus ut *aries*.

B fol. 22^v : *Hyrcus lascivum animal et petulcum* (from Isid. *PL*, 82, 426).

(The three animals mentioned by Baldwin, *hircus*, *taurus* and *aries*, are all close together in B on fols. 22^v-23^v. They are also found in Isid. *PL*, 82, 426-8, but are here more scattered.)

To illustrate further the association of words, the following passages may here be transcribed :

Aelr., *De Onerib.* 14, *PL*, 195, 415 (without any mention of *hircus*) : Sed pilosus (*Isaias*, xiii. 21) qui incubo dicitur, *animal petulcum* et hispidum, *semper ad coitum aestuans*.

B fol. 22^v : *Hyrcus lascivum animal et petulcum et fervens semper ad coitum* (from Isid. *PL*, 82, 426).

AQUILA, LEO, CAPER

Aelr., *De Anima*, lib. 2, ed. Talbot, p. 103 : Qui hominum vel visu *aquilis*, vel odore canibus, vel colore pavonibus possit aequari? Cui hominum tanta inest *fortitudo* quanta *leoni*? Quem non *velocitate* vincat *capreola*, musca volatu? Aelr., *Sermo beate virginis*, *Serm. Ined.* p. 138 : An non propter *fortitudinem* Gabriel *leo*, qui Dei fortitudo interpretatur?

B fol. 2 : *Leo fortissimus bestiarum ad nullius pavebit occursum* (from *Prov. xxx. 30*). B fol. 31 : *Aquila ab acumine oculorum vocata* (from Isid. *PL*, 82, 460). B fol. 12 : Est animal quod latine dicitur *caper*. eo quod *capitet et aspera* (from *Physiol.* 43 (or 41), p. 364). B fol. 13 : *Caprea has habet naturas ; quod pascendo de altis ad altiora tendit*.

(James here suggests *Pantheologus* as source.¹)

It may be said that it is absurd to suggest these bestiary sources for St. Aelred's questions, which are found in a passage closely following St. Augustine's *De Civitate Dei*, viii. 15. However, the four sentences quoted from B, all openings of sections accompanied by pictures, could not fail to impress the memory of one who had ever been familiar with the bestiary. St. Aelred does in fact substitute *capreola* for St. Augustine's *lepores, cervi*. This could be because a manuscript of the

¹ A twelfth-century work by Peter, canon and later prior of Holy Trinity, Aldgate, in British Museum MS. Roy. 7 C xiv.

pattern of B does not contain *lepus* (the late Fountains MS. does) and does not attribute speed to the *cervus*—nor, it must be admitted, to the *caper* and *caprea*, but only the kindred agility of an animal which scales mountain crags.

Having noticed these details of corresponding vocabulary, we now pass to one of our larger scale parallels.

ELEPHAS

Aelr., *Sermo beate virginis, Serm. Ined.* p. 136 : Ebur os elephantis est,¹ bestie scl. mire magnitudinis multeque fortitudinis. Ibid. p. 139 : Non dubito dominum nostrum Jhesum Christum dicere elephantem. . . . Ipse est qui turrem portat et sustinet, illam nimirum que edificata est cum propugnaculis in qua fortissimi milites congregiuntur cum hostibus.

Baldwin, *De Perfecto Monacho, PL*, 204, 568 : Ebur, ut aiunt, os elephantis est. Elephas est animal ossibus exstructum, robustum et firmum, adeo ut sufficiat belli machinas et edificata desuper propugnacula sustinere. Talis est fortitudo sanctorum, habens sicut ebur inter ossa excellentem gloriam soliditatis, firmitatis et pulchritudinis.

Aelr., *Sermo beate virginis, Serm. Ined.* p. 136 (as above) : . . . nature tamen frigide, ut sanguis ejus incendium serpentini virus dicatur extinguere. . . . Ibid. p. 139 : Hujus precipue sanguinem ex virginea carne assumptum draco ille, quem formabat ad illudendum ei, sitiit et absorbut.

B fol. 7 : Elephantem greci a magnitudine corporis vocatum putant. . . . In eis enim perse et indi ligneis turribus collocati, tamquam de muro jaculis dimicant (from Isid. *PL*, 82, 436).

(Always there is found in the bestiary a picture of men fighting from the tower on the elephant's back, as described by Aelred and Baldwin : so e.g. in B and in the Fountains bestiary.)

B fol. 7 : Est animal quod dicitur elephas in quo non est concupiscentia coitus. (Paralleled not in Isidore but in *Physiol.* 43 (or 44), p. 364. A bestiary of the earlier family, e.g. Stowe 1067, has not these opening words, but says later) : Isti igitur duo elephantes figurant adam et evam qui erant in paradiso nescientes ullum metum nec concupiscentie desiderium, nec commixtionis coitum. (B has later on, fol. 7^v) : quia draco inimicus elephanti . . . Habet autem pusillus elephans (Christus) hanc naturam. ubi incensum fuerit de capillis et ossibus ejus neque aliquid mali accidit neque draco (from *Physiol.* ibid. p. 365).

The editor has placed a comma only after *bestie*.

Philippe de Thaün writes as follows (lines 1517 ff.) :

E Phisiologus/ De l'elefant dit plus / La u l'os en ardrat / U li peils
 bruillera / De l'odur kin istrat / Les serpenz chacerat / E venim e ordure, /
 Itel e sa nature. / Issatisfierement / Sunt surmunte serpent / E venins e
 vermine, / Cō dit letre devine, / Par les ovres de Dé / E par sa poeste.

Honorius of Autun (fl. c. 1125) has an interesting variation upon the frigidity theme :

Elephas namque, cujus os est ebur, castum est animal et adeo frigidae naturae ut, super os ejus, i.e. super ebur posito gracili lineo panno, et super pannum posita pruna extinguatur illaeso panno (*PL*, 172, 443).

Enmity between the elephant and the serpent is the subject of another bestiary picture. B has under *draco* on fol. 46^v the words : A quo nec elephas tutus est sui corporis magnitudine (from Isid. *PL*, 82, 442). On the same page the artist vividly represents the serpent entwining himself around the elephant.

The last paragraph to be quoted from Aelred refers to the manner of bearing young. This is explained in the bestiary, where again appears the enmity with the serpent.

Sermo beate virginis, *Serm. Ined.* p. 139 : Hujus nostri elephantis corpus . . . in aquis parit, suum reputans quem aqua baptismatis abluit, christate limit, sanctae crucis signaculo munit.

B fol. 7^v : Cum vero tempus pariendi venerit : exit in stagnum. et aqua venit usque ad ubera matris. Elephans autem custodit eam parturientem quia draco est inimicus elephanti. si autem invenerit serpentem occidit eum. quem conculcat donec moriatur. (Paralleled roughly in Isid. *PL*, 82, 436, and more exactly in *Physiol.* 44 (or 43), p. 365. The identification of the elephant with Christ is found first in the Physiologus but in another connection (*ibid.* p. 366).)

VITULA

Aelr., De Onerib. 26, *PL*, 195, 467 : Vitula . . . sane genus hoc animalis abundans est lactis, et maximae circa fetum affectionis. Nisi enim arte fallitur, nec ad ubera alienum fetum

(The sources have nothing corresponding under *vitula*, but the passage cannot fail to recall this bestiary passage under *agnus*; B fol. 22^v) : Agnus . . . matrem agnoscat. adeo ut

admittit ; nec lac emittere nisi proprio praesente consuevit.

etiam si in magno grege erret. statim balatum recognoscat vocem parentis (from Isid. *PL*, 82, 426). Mater vero inter multa agnitorum milia solum filium novit. Unus est plurimorum balatus. eadem species. sed illa tamen fetum suum discernit a ceteris et solum filium tanto pietatis testimonio recognoscit. (This, second part, the more closely paralleled in Aelred, is from St. Ambrose, *Hexaemeron*, vi, 25 ; *PL*, 14, 251.)

Aelr., ibid. : Pulchre autem Segor, id est ecclesia, vitula dicitur conternans (*Isaias* xv. 5), id est tertium agens annum, ut primus annus sit ante legem, secundus sub lege, tertius sub gratia. Vel primus annus intelligitur sub patriarchis, secundus sub prophetis, tertius sub apostolis . . . quae et idcirco potest dici conternans ; quia fide, spe et charitate robusta, proficit in aetatem perfectam, in mensuram aetatis plenitudinis Christi. Idem, De Onerib. 27, *PL*, 195, 473 : Dicitur autem vitula conternans, id est tertium agens annum : quae aetas in bobus et apta jugo, et ad fetum habilis invenitur. Possunt etiam per vitulam conternantem tres gradus, quibus humilitas perfecta cognoscitur exprimi. . . .

This prime of the three-year-old heifer has the bestiarist's authority :

B fol. 74 : Sicut autem tricesimus perfecte etatis est annus in hominibus. ita in pecudibus ac jumentis tertius robustissimus (from Isid. *PL*, 82, 417).

SIRENE

Aelr., De Onerib. 14, *PL*, 195, 415 : Porro adulatores Sirenis congrue comparantur, qui blando quidem sed mortifero sono audientis aurem demulcent, et nisi prudentius aure obturata transierit, in scopulos superbae, vel in praesumptionis Charybdim inducant.

The sentence as it stands cannot have been taken from the bestiary alone. It comes from someone who has confused the stories of the Sirens and of Scylla and Charybdis, which are both in the twelfth book of the *Odyssey* but separate incidents.

B fol. 39 has the following :

Sirene sicut dicit Physiologus . . . figura musica quoddam dulcissimum melodie carmen emittunt, ita ut per suavitatem vocis auditus hominum a longe navigantium demulcent et ad se trahant. . . . Tunc demum cum viderint eos in gravi sompno, subito invadunt, et dilaniant carnes eorum.

The Sirens are not found in Isidore at all. The bestiary has somewhat changed the following text of Physiologus : *καὶ οἱ παραπλέοντες, ἐὰν ἀκούσωσι τῆς μελωδίας αὐτῶν, ἔαντοὺς φίππουσιν ἐν τῇ θαλάσσῃ, καὶ ἀπόλλυνται.* (*Physiol.* 15, p. 350 Cf. Philippe de Thaün line 1361, *Serena en mer hante . . . and following.*)

STRUTHIO

Aelr., Serm. de Onerib. 14, *PL*, 195, 415 : Struthio quippe pennas habet, quibus tamen a terra non elevatur, quia hinc pondus corporis, hinc raritas pennarum similitudinem quidem volandi praestant, sed usum negant. Exprimit ergo natura avis vitium simulatoris.

Gilb., *In Cant.* 14, n. 6 ; *PL*, 184, 71 C : Struthio pennae speciem habet, caret tamen effectu volandi. Nescit per mentis excessum volare. . . .

B fol. 35 : Est animal quod dicitur assida, quod greci stratocamelon vocant. latini vero struction. Habet quidem pennas : sed non volat. pedes autem camelii similes.

Philippe, lines 1245 ff. . . . Assidan l'apelum . . . Halt ne vole neient, / Juste tere se tient. (Cf. Isid. *PL*, 82, 461.)

There is a second and more striking part of the *struthio* story. Gilbert goes on to it in the place already quoted :

Nescit per mentis excessum volare : propterea speciem non visitat suam, sed derelinquit in terra ova sua. Obliviscitur quod pes conculcat ea, bestia conterat.

This corresponds to a more detailed account in B fol. 35 :

Cum vero venerit tempus ut ova sua pariat : elevat oculos ad coelum. et intendit si illa stella quae dicitur virgilia appareat. non enim ponit ova sua : nisi quando oritur illa stella. Quando autem viderit circa mensem junium ipsam stellam fudit in terram ubi ponat ova sua. et cooperit de sabulo. cum ascenderit de loco illo : statim obliviscitur eorum. et nunquam reddit ad ova sua. Tranquillitas siquidem aeris et temperies hoc praestare videtur ut estate calefacta harena excoquat ova sua. et educat pullos.

This approximates only roughly to *Physiol.* 49 in the Pitra edition, p. 368, but is more closely paralleled in other recensions, as the one used by Philippe, lines 1263 ff. :

E lores Assida / Quant l'esteile vera, / Una fosse ferat / U el ses os pundrat. . . . Isid. (*PL*, 82, 461) has only : Ova sua negligit, sed projecta tantummodo, fotu pulveris animantur.

There is an obvious objection to our quoting the bestiary as Gilbert's source. His text quoted above (*Nescit per mentis excessum . . .*) corresponds closely to *Job xxxix, 14, 15* (cf. *Jeremias, Lamentations, iv, 3*). However, Gilbert's first point (. . . *caret tamen effectu volandi*) directly contradicts *Job ibid. 18*. Since the author follows *Job* on one point but not on another, while he remains in entire agreement with the bestiary, it may be that the latter is the real source of the ideas, even though the memorized phrases of the Vulgate have served for the expression. We cannot leave the *struthio* without noticing that Gilbert makes this neglect of offspring a reproach :

Non novit in contemplationis soporem assurgere struthio, ideo se compassionis affectu non induit (loc. cit.).

For the bestiarist, however, it is an example of spiritual detachment :

Si ergo assidia (*sic*) cognoscit tempus suum et obliviscitur posteritatis sue ac terrena postponens sequitur celestia : quanto magis o homo. tibi ad bravium superne vocationis tendendum est . . . (loc. cit.).

REGULUS, BASILISCUS

Aelr., De Onerib. 21, *PL*, 195, 447 : Regulus, qui et basiliscus, rex serpentium dicitur, afflatus suo atque conspicu homines perimens.

B fol. 47 : Basiliscus grece latine interpretatur regulus eo quod sit rex serpentium, adeo ut eum videntes fugiant, quia olfactu suo eos necat. Nam et homines si vel aspiciat interimit (from Isid. *PL*, 82, 413).

Aelr., De Onerib. 22, *PL*, 195, 452 : Regulus procreatur, cuius semen absorbet volucrem.

This is sufficiently accounted for by *Isaias*, xiv. 29 :

De radice enim colubri egredietur regulus et semen ejus absorbens volucrem.

But we may well read beside it the following words in the bestiary and Isidore (loc. cit.), themselves perhaps suggested by *Isaias* :

Siquidem ab ejus (basilisci) aspectu nulla avis volans illaesa transiit sed quamvis sit procul ejus ore combusta devoratur.

PELICANUS

Aelr., De Onerib. 29, *PL*, 195, 482 :
 Pellicanus pallidi fertur esse coloris ;
 qui pullos, mox ut excluderit, rostro
 occidit, rursumque gemitu miserabili,
 et sanguinis sui effusione resuscitat.

B fol. 38^v : Pelicanus . . . amator
 est nimis filiorum. Qui cum genuerit
 natos et cuperint crescere : percutiunt
 parentes suos in faciem. Sed parentes
 repercutientes eos occidunt. Tertia
 vero die mater eorum percutiens cos-
 tam suam aperit latus suum et incubit
 super corpora mortuorum et sic
 suscitat eos a mortuis (from *Physiol.* 6
 (or 4), p. 343 ; cf. Philippe, lines
 2355 ff.)

Aelred's sentence could be accounted
 for by Isidore's abridgement (*PL*, 82,
 462) : Fertur, si verum est, eam
 occidere natos suos, eosque per tri-
 dum lugere deinde seipsam vulnerare,
 et aspersione sui sanguinis vivificare
 filios.

AQUILA

Aelr., De Onerib. 29, *PL*, 195, 483 :
 Beatus prae his omnibus ille qui in
 nido sapientiae suas cogitationes enu-
 trit, ut instar aquilae volantis, in ipsum
 coelum empyreum pennis contempla-
 tionis subvectus, ad ipsius solis splen-
 dorem cominus intuendum irrever-
 beratos aperiat oculos.

B fol. 31^v : Asseritur quoque quod
 pullos suos radiis solis objiciat. et in
 medio aeris ungue suspendat. Ac si
 quis repercuesso solis lumine. intre-
 pidam oculorum aciem inoffenso in-
 tuendo vigore servaverit is probatur
 quod veritatem naturae demonstraverit.
 (This is taken from St. Ambrose,
Hexaemeron, v. 60, *PL*, 14, 232.
 Isidore has a parallel passage, *PL*, 82,
 460.)

Physiol. (8, p. 344) has nothing of the above under Ἀετός.
 The following few lines from Philippe de Thaün show that his
 bestiary is more than a paraphrase of *Physiologus* :

Line 2013 : Aigle est reis des oiselets . . . line 2027 : E quant li oiselet /
 Sunt el ni petitet, / Entre ses piez les prent, / Porte les belement / Al soleil
 quant est cler, / Si lur fait esguarder. / E celui qu'il verat / Ki plus dreit
 guarderat, / Cel tient de sun lignage . . .

See also page 154 of this article.

VIPERA

Gilb., *In Cant.* 14, n. 8 ; *PL*, 184, 73 D : Vipera generatio matrem
 suam comedit.

B. fol. 47^v: Vipera dicta quo (quod?) vi perit. Nam et cum venter ejus ad partum ingemuerit catulis non expectantibus maternam nature solutionem corrosio ejus lateribus erumpunt vi cum matris interitu (from Isid. *PL*, 82, 443).

B has an accompanying picture of the young eating their way through the mother's side. Note that the context in Gilbert does not specially require that the victim should be the mother : he has this feature from his source.

CICONIA, HIRUNDO

Gilb., Ep. ad Guillelmum, n. 2, *PL*, 184, 294 D: Sed et *ciconia* et *hirundo* visitationis sua diem cognoscunt, cum aura cooperit flare tepidior.

This is probably suggested by *Jeremias*, viii. 7 :

Milvus in *cocolo* cognovit tempus suum ; *turtur*, et *hirundo*, et *ciconia* custodierunt tempus adventus sui.

Both *Jeremias* and Gilbert seem to be speaking of migration. Of the four birds in *Jeremias* Gilbert selects *ciconia* and *hirundo*. Now these two, not the others, are the ones which migrate according to the bestiarist : B 34 and 42 (from Isid. *PL*, 82, 461 and 468).

CAPREA

Aelr., Serm. 2 in Natali Domini, *PL*, 195, 223 : "Capilli tui sicut grex caprarum" (*Cant.* iv. 1). . . . Comparantur capilli isti in sanctis animabus gregi caprarum, qui pascitur in montibus et erecto capite ; quia cogitationes sanctorum semper se de coelestibus pascunt, et ad coelestia erigunt se.

Gilb., *In Cant.* 23, n. 2, *PL*, 184, 119 C: "Capilli tui sicut grex caprarum, quae ascenderunt de monte Galaad." Quasi grex caprarum eo quod in sublimibus pasti et positi, et tendentes semper ad alta ut caprae, . . .

So much for the scaling of heights. The other characteristic of the *caprea* is sharp-sightedness.

Gilb., *In Cant.* 14, n. 3, *PL*, 184, 69 C: . . . attende . . . videndi acumen in capreis. . . . Ille (Christus) singulariter caprea videndi privilegio. Denique nemo novit Patrem nisi Filius, et cui ipse voluerit revelare. Omnia autem nuda et aperta sunt

B fol. 12: Est animal quod latine dicitur caper eo quod captet aspera. . . . Morantur in excelsis montibus. . . . (Approximately from *Physiol.* 43 (or 41), p. 364, with Isid. *PL*, 82, 426.) B fol. 13: Caprea pascendo de altis ad altiora tendit. (James suggests *Pantheologus*, see p. 154, n. 1.)

B fol. 12: He sunt agrestes capree quas greci quod acutissime videant (12^v) dorcas appellaverunt. Morantur in excelsis montibus et de longinquο venientes cognoscunt si venatores aut viatores. . . . Quod acutissimam habet aciem (caprea) oculorum. et perspicit

oculis ejus. Ergo et hi quoque quasi capreae quaedam spirituales intelliguntur, qui revelatos habent mentis oculos in agnitione Dei.

Ibid. 27, n. 3, *PL*, ibid. 142 A : Qui bene capreae dicuntur, id est ecclesiae filii, propterea quod sicut capreae acute cernant. Acuta sunt enim ecclesiae lumina, contemplantis non quae videntur sed quae non videntur.

omnia. et a longe cognoscit. significat dominum nostrum qui dominus scientiarum deus est. et alibi. Quoniam excelsus deus et humilia respicit et alta a longe cognoscit. et omnia creavit. et condidit. et regit et videt et perspicit. et antequam in cordibus nostris aliiquid oriatur previdet et cognoscit. Denique sicut et caprea a longe cognoscit venantium adventum. ita Christus prescivit (manuscript seems to have *prescium*) insidias proditoris sui dicens Ecce appropinquit qui me tradet. . . .

Fol. 13 : Caprea bonas herbas a noxiis oculorum acumine eligit.
(Sources as above. Cf. St. Bernard, *Serm. in Cant.* 52, n. 6 ; 55, n. 1 ; 73, n. 6.)

See also *caper* with *aquila* and *leo* on page 154.

TURTUR, COLUMBA

Aelr., Serm. 4 in Natali S. Benedicti, *PL*, 195, 237 : Par turturum aut duos pullos columbarum. Ambae aves istae solent gemere, numquam cantare. Gilb., *In Cant.* 25, n. 1 ; *PL*, 184, 129 C : Turtur siquidem avis sollicita est, avis gemebunda.

The verb *gemere* is in fact associated constantly with *turtur* and *columba*. Cf. St. Bernard, *In Cant.* 59, nn. 3-6 ; 57, n. 11 : in the Bible *Isaias*, lix. 11, "Quasi columbae meditantes gememus", *Nahum* ii. 7, "Ancillae ejus minabantur gementes ut columbae".

The two other characteristics are interwoven, love of solitude, and (in the turtle only) chaste widowhood.

Aelr., ibid. *PL*, ibid. 238 : Turtur enim dicitur esse quaedam verecunda avis, quae non potest nisi unum tantum habere maritum, pro quadam, ut puto, naturali verecundia . . . sancta anima habet . . . verecundiam turturis ; quia ad omnes alias amores verecundatur, nisi ad amorem Dei.

Idem, Sermo in festo S. Joannis Bapt., *PL*, ibid. 292-3 : Joannes, qui ab ipsa,

B fol. 41 : Turtur de voce vocatur. Brit. Mus. Add. MS. 11283, fol. 23^r (The sheet is missing in B) : Habet gemitum pro cantu. Ita predicatorum amoto cantu et amore seculi gemunt pro suis et aliorum peccatis. (not in Isid. or *Physiol.*)

B fol. 41 : Turtur . . . avis pudica, et semper in montium jugis. et in desertis solitudinibus commorans. Tecta enim hominum et conversationem fugit. et commoratur in silvis (from Isid. *PL*, 82, 467). B. 41^v : Fertur enim turtur ubi jugalis proprii fuerit amissione vidiata. pertesum usum thalami et nomen habere conjugii . . . itaque iterare conjunctionem

ut ita dicam, infantia turbarum circumstreptum metuens sordibus inquinari, quasi castissimus turtur, mutuatis sibi puritatis et innocentiae alis, ad deserti secretum pervolavit.

Idem, *De Onerib.* 29, *PL*, *ibid.* 482 : Quis, inquit, dabit mihi pennas sicut columbae, et volabo et requiescam ? Et subjungit dicens : Ecce elongavi fugiens . . . instar avis volans, et publicum fugiens, materiesque peccatorum declinans, solitudinis secreta deligit, in qua mortificans membra sua, quae sunt super terram, similis fit pellicano solitudinis.

Idem, *De Jesu Pueru Duodenni*, n. 21. *Inter Opera S. Bernardi*, *PL*, 184, 862 D : Ad instar turturis quae avis castissima est, solivaga et gemebunda latebras quaeris, et licet inter multos constitutus, solitudinem tibi aedificas quotidianam : quomodo gemis, quomodo aestuas, quomodo quaeris quem diligit anima tua.

Gilb., *In Cant.* 25, n. 1 ; *PL*, 184, 129 C : Genas ejus descripsit ut turturis, eo quod nihil lascivum . . . in ejus appareat vultu.

(The same features are known again to St. Bernard, *In Cant.* 40, n. 4; 57, nn. 7, 8 : *In Nativ. B.M.V. de Aqueductu*, n. 15.)

APIS

Aelr., *Serm. in Nativ. B. Mariae* 1, *PL*, 195, 320 : Apis cuius opus est mel, castissimum animal est ; non enim apes per commixtionem carnalem generantur. Ideo apis significat castam et sobriam mentem : qualem sapientia libenter inhabitat. Haec igitur casta anima quasi apis volat per agrum Scripturarum sedula meditatione. Ibi ex dictis et exemplis sanctorum quosdam spirituales flores colligit : ex quibus fit in corde ejus mira delectatio et magna supernae suavitatis dulcedo ; et ita experitur,

recusat nec pudoris jura aut complaciti viri resolvit federa. illi soli suam castitatem reservat. illi custodit nomen uxoris. (From Ambrose, *Hexaem.* v. 62, *PL*, 14, 232-3. Not in Isid. Cf. *Physiol.* 25, p. 356.)

Finally we have the account of Philippe de Thaün, lines 2547 ff. : Turtre çò est oisels / Simples, chastes e bels, / E sun masle aime tant / Que ja a sun vivant / Altre masle n'avrat, / Ne puis que il murat / Ja autre ne prendrat, / Tuz tens puis le plaindrat, / Ne sur vert ne serrat : / Signefiance i at.

B. fol. 43^v : Apes . . . domicilia inenarrabili arte componunt. et ex variis floribus condunt (from Isid. *PL*, 82, 470). Fol. 44 : . . . communis omnibus generatio integritas quoque corporis virginalis. omnibus communis et partus, quoniam non inter se ullo concubitu miscentur. nec libidine resolvuntur (from Ambrose, *Hexaem.* v. 67, *PL*, 14, 234). Fol. 44^v : Opus ipsum suave. de floribus de herbis dulcibus fundamina castrorum prima ponuntur. Quid enim aliud est favus nisi quaedam

quia spiritus domini super mel dulcis sit : et haereditas mea, inquit, super mel et favum. Apta comparatio. Nonne casulae illae, quas soletis videre in favo, ostendunt vobis quamdam similitudinem haereditatis illius, de qua Dominus dicit : Multae mansiones in domo Patris mei sunt.

CERVUS

Aelr., *Sermo in natale apostolorum Petri et Pauli*; *Serm. Ined.* p. 132: Nephthalim, ager irriguus, cervus emissarius¹ . . . Ipse (Petrus) cervus emissarius spiritualium interfector serpentium.

Aelr., *ibid.* : Petrus, ut cervus estuans et interni ardoris impatiens, nec oculos intuentium erubuit nec maris undas extimuit.

This is based on Psalm xli (Heb. xlvi), 1 : "Quemadmodum desiderat cervus ad fontes aquarum." But rather similar words are found under *cervus* in B 11^v and *ibid. PL*, 82, 427.

Gilb., *In Cant.* 14, n. 3; *PL*, 184, 69 C: In cervis antiquitatem attende vivendi. . . . Cervi quadam arte naturali a senio se tueri perhibentur, et vergentem in defectum vitam redi- vivam novitate ab interitu revocare. Christus singulariter non tam cervus quam hinnulus dicitur : qui nititur aeterna novitate, nec habet aliquid vetustatis admixtum, quod subinde renovatione indigeat. . . . Cervi vero sunt in eo quod in eamdem imaginem transformantur a claritate in claritatem tamquam a Domini Spiritu : qui veterem deponentes hominem, novum induunt eum, qui vocatus est in justitia et sanctitate veritatis : qui senescentem devotionem, et quodam languentem taedio, in novum denuo fervorem reducunt, et perseverantiae fastidia nesciunt reparacione frequenti.

castrorum species . . . (from *ibid. v. 69, PL*, 14, 235).

The idea of the bee's natural virginity can only be taken from Ambrose. *Physiol.* (34, p. 360) has nothing to this effect. Isidore only says (*PL*, 82, 470) : Has plerique experti sunt nasci de boum cadaveribus etc.

B fol. 11: Cervi . . . hii serpentium inimici ; cum se gravatos infirmitate persenserint : spiritu narium eos extrahunt de cavernis et superata pernicie veneni eorum pabulo reparantur (from Isid. *PL*, 82, 427).

Cf. *Physiol.* 32 (or 30), p. 358 : Philippe, 721 ff., and second quotation from B fol. 11^v below.

B fol. 11^v: Habent (cervi) et aliam naturam. quod post comedionem serpentis ad fontem currunt. et ex eo bibentes pilos et omnem suam vetustatem deponunt. (Cf. *Physiol.* 32 (or 30), p. 358.) Fol. 12: Ad dignoscendam vivacitatem. alexander magnus torquens (torques?) plurimis cervis innexuit. qui post annum centesimum capti necedum senis indicium preferebant.

James marks this passage "Solinus, 22, varied". Solinus was a Latin grammarian of the third century, who borrowed largely from Pliny's *Natural History*.

¹ A variant of Gen. xlix. 21, not recorded by the Pontifical Commission for revision of the *Vulgata*, vol. I (Rome, 1926).

4. *What is the conclusion from the Texts?*

In the paragraphs cited above from English Cistercian writers it is possible to distinguish forty-six sections which are reminiscent of the bestiary. Two only are from Baldwin, twelve from Gilbert, the remaining thirty-two from Aelred. Looking from the other side, we can find forty places in the bestiary, two of which are reflected in Baldwin, twelve in Gilbert, twenty-six in Aelred.

Yet figures leave very much still to be told. A place may be more or less clearly reminiscent, more or less obviously point to a source. Some of these places by themselves prove nothing : but their convergent testimony cannot so easily be neglected. Sometimes, on the other hand, a single place may almost prove the influence of a source at least indirect. There is danger too of falling into the academic error of one who lives in books and manuscripts and has lost all contact with real life. However rudimentary experimental science may have been in the twelfth century, it was not necessary to have read books to know that hedgehogs had prickles, that dogs barked, or even that doves cooed and ewes sought out their young from the rest of the flock. Even if knowledge is traceable to a literary source, those who used it may well have taken it from artistic or oral tradition. In our own day how many who have heard of Reynard the Fox and Bruin the Bear can explain that they came to England from a late medieval German epic which was translated and printed by William Caxton ? In our own particular field, of one hundred who have heard that the eagle tests his offspring by exposing their eyes to the sun or who understand something of the pelican symbol, how many could point to Physiologus, St. Ambrose or St. Isidore as sources ? We could find many things on the Continent which recall our bestiary :¹ yet the book was never developed and diffused there as in England.

¹ See St. Bernard, e.g. in *Canticum 59*, nn. 3-8, for the characteristics of *turtur* and *columba*; 52, n. 6, for those of *caper*. Both the Mount Saint Bernard Cistercian antiphoner, probably Flemish thirteenth century, and the Morimondo Bible, twelfth century (Come, Seminario Maggiore 2. X. 6) have serpents and other animals unmistakably in the bestiary style : the latter has a prominent

When we have made these allowances and guarded against exaggerating the significance of all our parallel passages, one difficulty has still to be faced. The *Etymologies* of St. Isidore were very widely known and used in the Middle Ages. Now we have seen that most of the passages which we have transcribed from Aelred (it is otherwise with Gilbert) could be derived from Isidore without any reference at all to the bestiary.

On the other hand, Isidore is only one of several possible sources. Out of forty-six passages, there are nine which could not be from Isidore, and, of the remaining thirty-seven, eleven are found in other sources besides. But all forty-six may well be taken from the twelfth-century standard bestiary.

The question at once arises whether the authors used Isidore in other connections. If we conceded this with regard to Baldwin our position would be very little changed. A perusal of all Aelred's and Gilbert's works has not left a recollection of passages which point to Isidore. But it has been necessary to investigate this more closely, at least with regard to Aelred, since he concerns us more and Gilbert is in some measure his disciple.

Since the sermons *De Oneribus* seem more likely than anything else to throw light on the question they have been re-read with the specific object of detecting affinities with Isidore. As a result, apart from the many things said about beasts, which might be from Isidore but are the very passages in question, hardly anything has been found. In sermon 12¹ we read *Vir a virtute nomen accepit*. This is the reverse of what Isidore says in *Etym.* xi. 2, 17,² but it could be an imperfect reminiscence. One passage remains. In sermon 26³ Aelred says : *Hoc genus arborum (salix) talis fertur esse naturae ut semen ejus potatum virtutem auferat generandi*. Isidore does in fact attribute this sterilizing power to the *salix* in *Etym.* xvii. 7, 50.⁴ Several authorities on Aelred's sermons have been found to say nothing to our purpose. In particular Dr. C. H. Talbot has not a single reference to Isidore either in the *Index Auctorum* of his *De Anima*

two-headed serpent or *amphisbaena*. Concerning this remarkable Bible Dom Jean Leclercq has an article forthcoming in *Scriptorium, La Bible de Morimondo*.

¹ *PL*, 195, 406.

² *PL*, 82, 417.

³ *PL*, 195, 469.

⁴ *PL*, 82, 617.

or in the footnotes of his *Sermones Inediti*. In Dubois' *L'Amitié Spirituelle*¹ the only Fathers recorded as sources are SS. Ambrose, Jerome and Augustine.

At this stage it does not seem too much to claim as proved that, generally speaking, some English Cistercians knew and were influenced by the bestiary. They did not quote from it verbatim, perhaps not always with full advertence. Our conclusion is most certain of Aelred who in turn had a greater influence than any other upon his monastic circle: it is hardly less certain of Gilbert. If the bestiary was in some Cistercian monasteries there is a likelihood that it was in others, but from Baldwin alone we have not found enough to prove anything.

5. *Extant Cistercian Bestiaries*

It would be interesting to know how far our conclusion could be supported by bestiaries now extant showing Cistercian provenance.

(a) *Cambridge Univ. Library Ii. 4. 26.* This is the manuscript on which our study has relied for the most part. On fol. 73^r there is an inscription in a sixteenth-century hand: "Jacobus Thomas Herison Thys ys ye abbaye of Rev. . . ." The planing of the leaf has cut off the rest of the last word. The inscription is cryptic, but it is difficult to explain it unless in the sixteenth century the book was at the Cistercian abbey of Revesby in Lincolnshire, a daughter house of Rievaulx which had Aelred for its first abbot. There is no other name of an English monastery which begins with *Rev.* The *v* is unmistakable and could not have been used in the spelling of Rewley, i.e. *Regalis Locus*, which anyhow is Cistercian. "Jacobus Thomas Herison" has not yet come to light. The surname with its variant spellings was common, but the use of two Christian names most unusual at the period. Pensions lists of Lincolnshire monasteries are being edited, but J. T. H. has not yet been found among

¹ *Aelred de Rievaulx, L'Amitié Spirituelle*, présentation, traduction et notes, par J. Dubois (Bruges, 1948). The *De Spirituali Amicitia* was found to have no bearing on our subject and so has not been mentioned in the earlier part of the article.

the dispersed monks. If the inscription proved anything it could only be that the book was at Revesby in the sixteenth century. Mr. R. James was very cautious in using the inscription as an indication of provenance.¹ T. H. White is less so and gives some rein to his imagination in his account of a Revesby origin.² The colouring of the pictures ceased after the first few. Mr. White suggests that this may be due to a statute of the General Chapter, *Littere unius coloris fiant et non depicte*,³ usually dated in 1134, and that the painting may have been discontinued when this statute became known at Revesby. One must remark on this hypothesis that the writing can hardly be earlier than the second half of the twelfth century (contrast, e.g. MS. Stowe 1067), that Revesby was not founded until 1142, and that the statute should be dated in 1151.⁴ If the scribe were a monk of Revesby, it is unlikely that he wrote during St. Aelred's period as abbot (1142-7).

(b) British Museum, Cotton, Nero A v. This is a composite codex. The first part contains the *Liber de Creaturis* of Philippe de Thaün, fols. 1-40^v, and his Bestiary, fols. 41-82^v, both written continuously by a twelfth-century scribe: the second part is a Life of St. Thomas Becket, written in the fourteenth century. The Bestiary (already discussed on page 147 of this article) opens with the words: *Bestiarius incipit quem philippus taonensis fecit. in laude et memoria regine anglie aaelidis. . . . Liber iste bestiarius dicitur. quia in primis de bestiis loquitur. Et secundario de avibus. Ad ultimum autem de lapidibus itaque tripharie spargitur. et allegorice subintelligitur.* Each section has its subject announced by a Latin rubric and is then developed, often at considerable length, in the author's metrical old French. Spaces are left for pictures, but they have never been filled in. An ex-libris has been written on fol. 82^v at the end of the bestiary: *Liber sancte marie de homcoltrum.* The Cistercian monastery of Holmcultram in Cumberland was founded from Melrose in 1150. Walberg evidently studied the manuscript with care. It is surprising that he should say: "Il a été exécuté, selon une note

¹ Op. cit. p. 35.

² Op. cit. pp. 237 ff.

³ First known from MS. Laibach 31. *Analecta S. Ord. Cist.*, vi (1950), 37.

⁴ So J. A. Lefèvre. See page p. 150 of this article, n. 2.

du copiste, dans le monastère de Holmcultram. . . ." ¹ For the writing of the ex-libris is certainly not contemporary with that of the scribe and is perhaps a century later. It may well be that the monastery acquired such a book by gift after the year 1200.

(c) *Bestiary in collection of Sir Sydney Cockerell.* Although this manuscript is much later than the century of Aelred and Gilbert, it is probably Cistercian and may reflect a tradition. With the owner's kind permission, his hand-written note, written on a new vellum end-sheet, is here reproduced :

" Bestiary. English. 1st half of 14th c. a⁶-c⁶, 18 ff. From Fountains Abbey, Yorks. At the end of the book is written ' Mr Merkynfeld owes this booke '. Markenfield Hall is only a mile from Fountains Abbey and Thomas Markenfield, who was attainted in 1570, married Isabel, daughter of Sir William Ingleby of Ripley and sister of Sir William Ingleby who died in 1617 (See Plower's *Visitation of Yorkshire*, Harl. Soc. publ. 16, pp. 172, 197). Lot 17 in the sale at Sotheby's Oct. 21st 1920 of books from the library of Sir William Ingilby Bt of Ripley Castle, Yorks. About 20 MS. items in this collection were from Fountains Abbey and they seem to have been in the possession of the Ingilby family since the surrender of that monastery in 1540. When sold this book was in a wrapper consisting of six leaves of a missal, four of which are here preserved. Scarcely legible on the dirt-stained outer leaf was the inscription ' From Fountains Abbey '."

Sir Sydney Cockerell has no doubt that the book came from Fountains, having been, as far as can be discovered, with other Fountains manuscripts since the Dissolution. The inscription "From Fountains Abbey" is in an eighteenth-century hand. The missal leaves, now bound in as end-sheets, are of the thirteenth century. Containing prayers for the Sundays after Pentecost 6th to 22nd, they would not be enlightening as to provenance even if it were certain that they were in the original binding. M. R. James was no doubt right in placing this bestiary in the second family,² although it shows some abridgement and rearrangement of the standard pattern. The evidence

¹ Op. cit. p. 1.

² Op. cit. p. 26.

seems to justify Mr. N. Ker in listing the manuscript under Fountains with a question-mark.¹

(d) *Jesus College, Cambridge, QB 17.* This manuscript dates from the century after St. Aelred and is a catalogue of the library in his own abbey of Rievaulx. On fol. 2 is the entry : "Liber sermonum et quedam excerpta de libris justiniani et bestiarium in uno volumine." This bestiary is not known to be anywhere extant. It is most likely that it was the standard Latin compilation, of which there are at least forty specimens in England, whereas, for instance, of Philippe de Thaün's work there is only one. If, as is possible, the book was in the library in St. Aelred's time, fifty years or more before the writing of the catalogue, it may be the one from which the preacher drew his allegorical interpretations of animal life.

¹ *Medieval Libraries of Great Britain* (1941), p. 48.

THE FRENCH REVOLUTION AND THE GRAIN SUPPLY: NATIONALIZATION PAMPHLETS IN THE JOHN RYLANDS LIBRARY

By R. B. ROSE, M.A.

“THE Trade and Finance of Sansculottism”, observed Carlyle in 1837, “and how with Maximum and Baker’s Queues, with Cupidity, Hunger, Denunciation and Paper-money it led its galvanic-life, and began and ended, remains the most interesting of all chapters in Political Economy: still to be written.”¹

With the publication, in the present century, of Jean Jaurès’ *Histoire Socialiste*,² and Albert Mathiez’ *La Vie Chère et le Mouvement Social sous la Terreur*,³ the major part of this “most interesting of all chapters” may be said to have been at least sketched; the details still continue to prove of absorbing interest to historians of the Revolution. It has already been made plain, however, that to a large section of the French people, the Revolution was as much a revolution for bread as for the political rights of man. “Ce n’est pas assez, citoyens représentants, de nous avoir donné la République” a delegation of the Paris Sections warned the triumphant Convention in February 1793, “Il faut encore nous donner du pain.”⁴ Nearly all the significant insurrectionary movements between 1789 and 1795 were given their force by the merging of the political demands of the *bourgeoisie* and the economic demands of the *sans-culottes*, a marriage epitomized succinctly in Babeuf’s slogan of 1794: “La liberté, du pain, et du bon pain.”⁵

The overriding economic preoccupation of the French labourers, artisans and petit bourgeois in the eighteenth century

¹ T. Carlyle, *The French Revolution* (London, etc., 1902), Part 3, Book 3, Chap. 5, p. 678.

² Paris, 1903-10.

³ Paris, 1927.

⁴ Claude Fauchet, *Journal des Amis*, no. 8 for 23 February 1793.

⁵ G. Lecoq (Ed.), *Un manifeste de Gracchus Babeuf* (Paris, 1885).

was the ensuring of an adequate supply of good quality, reasonably priced bread. While the potato was despised or distrusted, and meat too expensive for a regular item of diet, bread, and generally rye bread, remained the indispensable staple, on whose fluctuating supply and price the standard of living largely depended. Thus the economic dislocation of the revolutionary period merely presented in crisis form the perennial problems of the *Ancien Régime*.

Although France was predominantly an agricultural nation, some 11 per cent. of her twenty-five million population did not work on the land.¹ The primary industry had to provide a surplus, if only to cater for this, largely urban, population.

Due to the persistence of the backward economic and agricultural practices, summarized by Octave Festy in *L'Agriculture pendant la Révolution Française*,² France's agricultural surplus was, in the best years, barely sufficient for home needs. When production was affected by natural catastrophes, such as the drought of 1785 and the hailstorms of 1788 (which halved the wheat crop for that year), there were often insufficient stocks to prevent the development of a very dangerous situation. There was famine, or partial famine in 1709, 1725, 1749, 1775, and 1785.³ As a result there was a virtual tradition of popular riots in the main towns. The Paris women who marched to Versailles in 1789 were only emulating the example of their great grandmothers who were stopped by hastily called out troops on the Sèvres bridge in 1709.⁴ Reims was the scene of riots in 1709, 1770, 1771, and 1775.⁵ The detailed history of other provincial cities suggests similar evidence.

The supply and price of bread was, of course, only one half of the social question. The reverse half was the problem of poverty, of the ability to pay. The fact that both these problems achieved crisis proportions in 1789 was of great significance in the events of that year.

¹ H. Séé, *Histoire Economique de la France* (Paris, 1948), p. 39.

² Paris, 1947.

³ *Ibid.*

⁴ L. Romier, *A History of France* (translated and completed by A. L. Rowse) (London, 1953), p. 270.

⁵ G. Boussinesq and G. Laurent, *Histoire de Reims* (Reims, 1933), p. 270.

The royal intendant Tolozan maintained in 1789 that the Eden treaty for freer trade negotiated with Britain in 1785 had resulted in the unemployment of 200,000 workers in the textile towns.¹ There is evidence to support this view. At Rouen, in 1788, 7,000 women and children were without work.² At Reims, in 1789, 11,000 out of a force of 20,000 textile workers were classed as *indigents*,³ while from 1787 to 1790 there were seldom less than 20,000 out of 58,000 workers unemployed at Lyons.⁴ The researches of the Duc de Liancourt in 1790 led him to the conclusion that throughout France at least 3,200,000 persons were in need of relief,⁵ and it was estimated that Paris alone contained 118,000 paupers.⁶

In 1789, not only Paris, but provincial towns of such diversity as Rouen,⁷ Orléans,⁸ Reims,⁹ Grenoble,¹⁰ and Chartres,¹¹ were the scene of *Sans-Culotte* outbreaks directed against the high price of bread and essentials. Such riots, to whose ubiquitous distribution Arthur Young bears added testimony in the *Travels* were not the result of blind despair, but of an endemic popular hostility towards merchant and peasant profiteers. The sequence of events at Nangis, described by the English traveller, seems to have been typical of the contemporary disturbances.

"The people quarrel with the bakers, asserting the prices they demand for bread are beyond the proportion of wheat, and

¹ H. Séé, op. cit. p. 362.

² F. Evrard, "Les ouvriers du textile dans la région rouennaise (1789-1802)", *Annales Historiques de la Révolution Française* (1947), p. 333.

³ G. Boussinesq and G. Laurent, op. cit. p. 250.

⁴ M. Wahl, *Les premières Années de la Révolution à Lyon* (Paris, 1894), p. 30.

⁵ A. Mathiez, "Des notes sur l'importance du prolétariat au veille de la Révolution", *Annales Historiques de la Révolution Française* (1930), p. 497.

⁶ J. C. Alger, *Paris in 1789-1794* (London, 1902), p. 268.

⁷ F. Evrard, op. cit. p. 333.

⁸ C. Bloch, "Les femmes et la Révolution à Orléans", *La Révolution Française*, xlivi. 49.

⁹ G. Boussinesq and G. Laurent, op. cit. p. 242.

¹⁰ A. Prudhomme, *Histoire de Grenoble* (Grenoble, 1888), p. 596.

¹¹ Rabouin, "Troubles en Beauce à l'occasion du cherté du blé, Novembre et décembre 1792", *La Révolution Française*, Vol. 43, p. 392 n.: "Déjà, le 29 juillet 1789 des émeutiers avaient forcé les officiers municipaux de Chartres à taxer à 20 sols le pain de neuf livres. Des troubles sérieux eurent lieu à cette occasion. La troupe tira sur le peuple. Huit hommes furent tués."

proceed from words to scuffling, raise a riot and then run away with bread and wheat for nothing. This has happened at Nangis, and many other markets ; the consequence was that neither farmers nor bakers would supply them till they were in danger of starving, and, when they did come prices under such circumstances must necessarily rise enormously, which aggravated the mischief, till troops became really necessary to give security to those who supplied the markets."

Such crises as that of 1789 were probably even more the result of the failure of the economic machinery for the conservation and distribution of the available supplies than of the marginal nature of production. Before turning our attention to some of the revolutionary solutions to this problem, it will be necessary to analyse the salient features of the system they were intended to supersede.

In addition to a normal "local" trade between country and town there was an extensive national trade between the more fertile northern provinces and the central and southern regions. Out of the thirty-two provinces which made up the Kingdom in 1789, ten might generally be expected to produce a surplus, ten were self sufficient, and the remaining twelve in a state of permanent, acute shortage.¹ Long distance trade was stimulated by a steep price gradient which more than made up for the exactions, under the *Ancien Régime*, of a multiplicity of customs barriers. Thus even in 1790 (when the barriers had been swept away), while the average price of corn in eleven northern provinces was 9 *livres* 17 *sous* the *quintal*, in eight southern provinces it was more than 15 *livres*. The maximum variation was between Béthune in the Pas de Calais, and Moutiers in the Mont Blanc *département*, where the same measure of corn cost 7 *livres* 8 *sous* and 18 *livres* 15 *sous* respectively.² Trade was in the hands of the *blatiers*, merchants who negotiated the import of corn as well as its distribution inside the country. In the nature of things their operations demanded the deployment of considerable capital resources, and there was a constant temptation to speculate

¹ J. Letaconnoux, "Le commerce de grains au XVIII^e Siècle", *Revue d'histoire moderne*, viii. 409-45.

² L. Biollay, *Les prix en 1790* (Paris, 1886), pp. 89-98.

on future scarcity. The historian Charles C. Poisson has collected a list of such merchants and their factors, contractors to the armies of the Revolution; concerns like Clément et Geraudan of Cette, Dallande, Swann et Cie. of Paris, Vanlesbergh of Douai, Bath et Pascal of Dijon, and Fernet-Cambronne of Peronne.¹

The picture sometimes painted of a luxurious court and administration, careless of the misery of a starving populace, attractive in its simplicity, is very far from the truth. The king's government, deeply concerned with preventing the disorders consequent on the interruption of the food supply, kept a watchful eye on the manoeuvres of the *blatiers*, and regulated the grain trade most carefully.² Apart from the Parisians, who were in a privileged position, the merchants of the *Ancien Régime* were permitted to buy only in the open markets, and then only when local demand was satisfied. In times of scarcity the intendants, royal officials, would frequently fix prices to prevent profiteering, and compel proprietors to sell their stocks. As a final resort they were empowered to open the Seigneurial and ecclesiastical granaries in which the tithe was stored, the *granges dîmeresses*. When, influenced by Physiocrat propaganda for free trade, the king's minister relaxed this system of regulation, in 1763 and 1774, the immediate result was a sharp rise in prices and consequent rioting and pillage on such a scale as to force a resumption of the old regulation.³ An insistence on the paternal aspects of governmental regulation ought not to prevent us from recognizing the persistence of speculation and consequent "super profit" in which the administrators themselves frequently shared.

The *Cahiers de Doléances* of the Third Estate of 1789 were drawn up in such a way as to make inevitable the predominance of bourgeois demands and bourgeois economic views. Even so, from time to time, the popular distrust of the machinations of

¹ C. Poisson, *Les fournisseurs aux armées sous la Révolution* (Paris, 1932), p. 127.

² A. Mathiez, *La Vie Chère*, pp. 9-11.

³ On the 1774-1775 crisis see V. S. Ljublinsky "The May riots in Paris". *Voprossii Istorii*, No. 11, 1955. G. E. Rudé, *La taxation populaire de Mai 1775 à Paris et dans la région de la Révolution Française*, 1956, p. 139.

grain speculators forces itself on the attention amid the overwhelming mass of demands for the abolition of controls and for liberty of commerce. At Orléans,¹ for example, the Third Estate of Boigny and the Maîtres Cordonniers of Orléans denounced in turn those who hoarded grain to create an artificial scarcity. The Third Estate of Tivernon singled out the Church for special attack for hoarding the produce of the *dîme* and the ecclesiastical estates. It was not many months later that the granaries of the Carthusians at Orléans were sacked by an enraged mob.² Although many *Cahiers* of the Orléans district restricted their proposals to a rigid enforcing of existing regulations,³ others, notably the compilations of the Third Estate of the villagers of Marcilly en Villette and Meung, and of the *Selliers Bourreliers* of Orléans, proposed the requisitioning of grain from private individuals to provision public reserve granaries. Elsewhere in France this demand for public granaries was echoed *inter alia*, by the Third Estate of Chalons [sur Marne] which proposed that "dans chaque ville considérable de la province, il y ait des greniers publics, fournis au compte de chaque municipalité",⁴ by the clergy of Laon, Dourdan and the Vicomté de Paris,⁵ and the nobility of the Vermandois, Auxerre, Reims, and Dourdan.⁶

The project for a State grain trade, thus anticipated in the *Cahiers* of 1789, was expounded, defended and popularized during the early years of the Revolution until it finally became, in 1793, a plank of the Jacobin political programme. It is this process with which the present study is concerned.

The onset of the Revolution turned France, in the words of an American visitor into "A nation which exists in hopes, prospects and expectations—the reverence for ancient establishments gone, existing forms shaken to the foundations, and a new

¹ C. Bloch, "Les Cahiers d'Orléans du point de vue économique", *La Révolution Française*, xxxix. 427, 481.

² A. Bouvier, *J. F. Rozier Fils* (Orléans, 1890), p. 110.

³ As, for example, La Chapelle Saint Mesmin and Engenville.

⁴ L. M. Prudhomme, *Résumé général, ou extrait des Cahiers de Pouvoirs . . . ouverts à Versailles le 4 Mai 1789* (Paris, 1789), iii. 295.

⁵ Ibid. ii. 279.

⁶ Ibid. i. 248, 249.

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order of things about to take place in which even to the very name all former institutions will be disregarded ".¹ In such a mental climate, while the main interest of the politically literate centred on the conquest of political liberty and the manufacture of a constitution, there were many who seized the opportunity to promote schemes for economic and social reform. One such, the Parisian De Chaillon, published, in 1790, a comprehensive plan for the nationalization of all large-scale commerce in grain, the 64-page *Moyens de prévenir la disette des grains et d'assurer la subsistance du peuple à un prix uniforme et modéré*,² one of a number of similar projects to be found among the French Historical Tracts in the John Rylands Library. De Chaillon advocated the prohibition of all private trade in grain and flour not for the satisfaction of immediate needs. The peasants were to be permitted to sell only in regulated markets and at a price fixed annually by the National Assembly, acting on reports concerning the nature of the harvest, submitted by the *Assemblées Primaires*, the basic electoral colleges of citizens. (Such reports had been submitted by the *Intendants* under the *Ancien Régime*.)

The profiteering *blatiers* were to be replaced by a network of State granaries (a useful function for emptied religious houses), which would be stocked in two ways. Firstly, the acquirers of the National Domain, the sequestrated lands of the Church, would be required to pay a rent in grain for their acquisition. In addition the administrators of the granaries would be empowered to compel proprietors to sell to them at a fixed price.

Perhaps less generally acceptable in the country districts was the suggestion that the common lands be divided up amongst the propertyless poor, the "milliers de malheureux réduits à la mendicité."

Although De Chaillon described himself in some detail as a "Citizen of the District of Saint André des Arts, a member of the Patriotic societies of Sweden, Bavaria, and Hesse-Hombourg, and an Avocat au Parlement", it is not easy to establish his identity.

¹ Anne Morris (Ed.), *The diary and letters of Gouverneur Morris* (London, 1886), p. 22.

² Rue Poupée no. 6 (Paris, 1790), pp. 64. French Historical Tracts, John Rylands Library (referred to below, for brevity, as F.H.T.).

It seems unlikely that, as has been supposed, he was the Breton deputy Etienne Chaillon, although he may have been a scion of the noble De Chaillon de Jonville family.¹ A more famous revolutionary, the Franco-Irish journalist and editor of the *Creuset*, James Rutledge, published about the same time as De Chaillon's pamphlet his *Projet d'une législation des subsistances*.² Rutledge devoted more space to the consideration of the administrative machinery involved in the extension of state control. There was to be a central administrative council to take an annual census both of the harvest and of regional consumption to ensure the even distribution of supplies. Under the Central Council, on the local level, in each municipality or market town *Commissaires* would supervise municipal public granaries, mills, and the public markets, and would be empowered to fix retail prices.

An annual census was the central theme of yet another project, the work of the Paris financier and merchant Benavent. Benavent's reflections on the disturbed state of the country were published, in December 1790, under the arresting title *Clameur de haro*,³ and postulated a plan for rationing available grain according to the population of each *Département*, *District*, and municipality. The census was to be administered by a permanent bureau of twelve persons nominated by the National Assembly, which would publish the details of population and harvest to calm public disquiet. The export of grain was to be prohibited until there was an eighteen months' or two years' supply in the public granaries.

There are no direct means by which the impact of such publications may be measured; unlike some later Revolution pamphlets they do not contain a note of the numbers printed or distributed. Perhaps the fact that Rutledge was a prominent member of the Cordeliers Club may indicate that his pamphlet, at least, was in tune with the advanced revolutionary thought of

¹ Duchesne, *Dictionnaire de la Noblesse* (Paris, 1772, etc.).

² J. Rutledge, *Projet d'une législation des subsistances, composée pour M. Necker*, published by Rozé, Imprimeur National, Rue des Postes (Paris, 1790), pp. 94 ff. (F.H.T.).

³ Benavent, *Clameur de haro*, P. Ferrand (Rouen, 1790), pp. 19 (F.H.T.).

the capital. It is plain that the concept of "public granaries" would provide a ready-made, easily grasped slogan for *Sans-Culotte* pamphleteers like the anonymous author of the *Moyens sûrs et infaillibles de ne payer le pain que deux sols la livre en tous temps par l'établissement des greniers publics*,¹ who proposed to raise a loan of 50 million *livres* to finance the national system of granaries.

All the reformers were not content to wait for state action and intervention from above. More in keeping with the spirit of local self reliance so characteristic of the popular revolution was the scheme of Lawalle L'Ecuyer, himself a merchant, to by-pass the *blatiers* by direct, co-operative buying. In his brochure *Moyens de ne pas manquer de subsistances à Paris*,² Lawalle recapitulated some suggestions contained in a motion first put before the Cordeliers district on 20 October 1789. The sixty Paris *Districts* were each to appoint one or two paid deputies to purchase grain for a communal store with communal funds. Any profits were not to be distributed, but retained as a capital fund, in effect a permanent co-operative. That this plan was not merely a fugitive notion is evident from the reason which its author gave for publication: his idea had become so popular that he was not getting the credit he deserved as its originator. Lawalle himself was not an unknown; a leading member of the Cordeliers Club he served, on at least one occasion, as its president.³

The kind of ideas circulated by De Chaillon and Rutledge raised an echo in some, at least, of the major provincial centres. At Lyons, L'Ange, an officer of the *Commune*,⁴ argued that the State should buy, at a fixed price, the entire harvest, for storage in 30,000 *greniers d'abondance*, each administered by units of a hundred families, a division probably conceived as not dissimilar

¹ *Moyens sûrs et infaillibles de ne payer le pain que deux sols la livre en tous temps par l'établissement de greniers publics* (Anonymous). Imprimerie de Cailleau, rue Gallande, no. 64, n.d. pp. 4 (F.H.T.).

² Knapen fils (Paris, [1789]).

³ A. Mathiez, *Le Club des Cordeliers pendant la crise de Varennes* (Paris, 1910), p. 9, and for presidency N. Charavay, *Catalogue des Autographes et des Documents composant la collection de M. Etienne Charavay* (Paris, 1900), p. 76, no. 23.

⁴ J. Jaures, op. cit. iii. 337. On L'Ange see also F. Duhem's article in the *Annales Historiques de la Révolution Française* (January-March, 1951), p. 38.

in size to the existing *Communes* of local government.¹ L'Ange envisaged his *greniers* as the economic centre of their communities, serving as co-operatives in the purchase and retail of goods, and acting as banks and insurance clubs. The link between this vision and the French co-operative movement of the nineteenth century is clear in inspiration, but there is an even closer connection between L'Ange's *greniers* and Fourier's *Phalanstères*, for the pioneer socialist himself had arrived at Lyons from Besançon in 1791, and was still living there in June 1792, when L'Ange published his pamphlet.

By contrast with L'Ange and the Paris reformers the Orléans pamphleteer Vergnaud did not set his trust in "public granaries" as a panacea for the public ills. His two widely distributed brochures, the *Cri général de 1789*² and the *Cri général de 1790*,³ mark a highly original approach to the two major afflictions of the poor: the high price of bread, and the prevalence of unemployment.

Vergnaud advocated a rigorous system of price control, according to a sliding scale based on the price of a day's labour, and maintained by enforced sale from private granaries once prices threatened to rise beyond a fixed point. This control was to be supplemented by a constant supervision of bakers and millers, and the establishment of public bakehouses.

Vergnaud's second publication was a unique attack on the problem of unemployment, which he proposed to solve partly by an extensive programme of public works, and partly by the creation of municipal workshops, for which the capital was to be subscribed jointly by the municipality and by the employers. The workshops would continue to produce goods for storing even when there was no immediate demand, and would thus be unaffected by fluctuations in the market. They were to be administered by the *Corporations* or trades guilds. But by this Vergnaud did not mean the narrow group of rich masters who

¹ L'Ange embodied his main ideas in a pamphlet entitled, typically, *Moyens simples et faciles de fixer l'abondance et le juste prix du pain*.

² *Le Cri général de 1789, seconde édition en Décembre* (Anonymous), Jacob Sion (Orléans, 1789), p. 53 (F.H.T.).

³ *Le Cri général de 1790* (Anonymous), Jacob Sion (Orléans, 1790), p. 65 (F.H.T.).

dominated most of the old guilds. He recognized for his purposes only those *Corporations* which expressed the will of the non-proprietors, the embryo trade unions of the day.

It is startling to find the projects of Louis Blanc anticipated by half a century, in a plan for workshops producing for use and not profit, run by working-class labour organizations.

Charles Vergnaud was, according to Barbier's *Dictionnaire des Anonymes*, born in 1744, and the father of five sons. One of these may well have been Colonel Amand Denis Vergnaud, born in 1791, the author of the *Souvenirs du Colonel Vergnaud*,¹ in which he relates that his father was an Orleannais merchant, with property at Perrai, near Château de Loir.

Vergnaud's fellow townsman, the *Avocat Taboureau de Montigny* concentrated his attention on the central issue of the bread supply. Like Rutledge he envisaged the creation of a national *Administration des subsistances*, in this case under the direction of a *Représentant-Général* with a corps of local *Tribunes* elected for two years and empowered, like Rutledge's *Commissaires* to regulate prices, supervise the markets and administer public granaries.²

As practical politics the campaign for a nationalized grain trade was devoid of immediate effect, and failed to find any reflection in the work of the *Legislative* or the *Constituante*. The overwhelming current of the times bore towards economic liberalism, and the middle class representatives were concerned only to sweep away all vestiges of State interference in commerce, placing their trust in the natural laws of supply and demand, whose beneficial operation they stimulated by the destruction of customs and other official barriers.

The temper of the *Constituante* was soon shown in the decrees of 29 August and 18 September 1789, which abolished the old regulations and established the absolute liberty of the grain trade within the country. The *Legislative*, dominated by the same section of the liberal upper bourgeoisie went even further. In March 1791 it voted the *laissez-faire* formula : "A compter du

¹ A. D. Vergnaud, *Souvenirs du Colonel Vergnaud* (Paris, 1937).

² A. Mathiez, "Un Enragé inconnu : Taboureau de Montigny", *Annales Historiques de la Révolution Française* (1930), pp. 209 and 305.

1^{er} Avril il sera libre de faire tel négoce, ou d'exercer telle profession ou tel métier que l'on trouvera bon." On 22 July there followed a decree proclaiming the absolute liberty of all transactions, and threatening those officials who continued to regulate the prices of wine, corn, or other grains, with prompt dismissal. It was not until May 1793 that the imposition of maximum price regulation made the first fundamental breach in the liberal economic régime thus constituted.

Discouragement by the central government did not necessarily mean an end to economic experiments by local authorities, faced with the exacting day to day need to fill the bakers' shops which annoyingly persisted in making nonsense of the most aesthetically satisfying theories of political economy.

Several Rylands tracts record the *ad hoc* expedients adopted by the Lyons authorities to ensure the bread supply. There is, for example, a publication of the Juiverie Section, dated 13 June 1790,¹ which, after attacking by name many of the town's millers for adulterating and mixing their flour, announced the appointment of special officers to check hoarding, to inspect mills, bakeries, and butchers' shops, and to fix the price of essential commodities by a daily regulation. In the spring of the following year, another of the twenty-eight Sections, the Pécherie, undertook a scientific survey of the practical problems involved in the making of bread, in order to establish a norm by which the machinations of profiteers might be judged. In their *Essai de panification*² the selected *commissaires* published detailed observations on the complete process of milling and baking from the original grain to the finished loaf, with a record of weights and measurements taken. The recommendations of the Lyons municipality following a similar enquiry a year later were quashed by the more orthodox *Département* administration.³

¹ *Procès Verbal des Citoyens du District de la Juiverie*. Signed : Marinier, president, Journet Secretary (June, 1790), pp. 14 (F.H.T.).

² Menard fils, *Essai de panification fait par le Citoyen Menard fils, Commissaire proposé à cet effet par la section de la Pécherie* (April, 1791), pp. 15 (F.H.T.).

³ C. Fauchet, *Rapport fait à L'Assemblée Nationale au nom du comité de surveillance sur les griefs de la municipalité de Lyon Contre le directoire du département de Rhône-et-Loire* (17 April 1792). Imprimerie Nationale (Paris, pp. 42) (F.H.T.).

The experience was not wasted, however, for in the spring of 1793 the Lyons *Commune* municipalized the city's bread supply. The thirteen public bakehouses established as a result turned out, between 14 March and 16 April, ninety to a hundred batches per day.¹ But even the extremist Lyons *Commune* preferred, when the immediate crisis began to subside, to revert to the more common Jacobin practice of subsidizing the bakers to maintain prices, by a tax on the rich. The replacement of independent tradesmen by "socialist" enterprises was no part of the Jacobin political philosophy.

The Lyons *Sans-Culottes* were soon to be deprived of all protection, for after the anti-Jacobin coup of 29 May the successful party abolished the general subsidy, offering in place a charitable dole to those who cared to apply.²

The Lyons experiments of 1793 were part of an individual attempt to cope with the general economic crisis which faced the Republic: a crisis of unchecked inflation and scarcity, exacerbated by a foreign and civil war which destroyed industries, disrupted transport, and arrayed consumer against producer in a kind of class war.

The *Levées en Masse* of great new armies in March and September superimposed fresh problems of supply and distribution which could not be solved by traditional methods. Faced on the one hand with the urgent demand of the *Sans-Culottes* for bread, and on the other with the problem of organizing the defence of the Republic, the Jacobins were forced, step by step, to adopt a policy of "war communism" and economic dictatorship. After the Jacobin seizure of power in June the Girondin régime of economic liberalism was dismantled piece-meal, and State control became once more the order of the day.

Even earlier the logic of events and the inescapable popular pressure had forced the *Convention* to establish maximum price regulation for grain in each *Département*. On 27 July this measure was supplemented by a draconian decree threatening

¹ Riffaterre, *Le Mouvement anti-Jacobin et anti-Parisien à Lyon en 1793* (Paris, 1912-28), i. 14.

² *Rapport du Comité des Subsistances et Finances de la municipalité provisoire de Lyon sur le pain*, Leroy (Lyons, 1793), pp. 11 (F.H.T.).

food hoarders with the death penalty. On 19 August the *Maximum* was extended to fuels, and on the following day to oats, which had escaped earlier regulation. Finally, at the end of September, the extension of price-control to all necessities completed a régime of strict regulation based on the census, the *Maximum* and fierce laws against clandestine profiteering.

The movement towards economic collectivism was accompanied by a revival of interest in the organization of the grain trade. The adoption of a system of nationalization offered the twin advantages of solving the problem of supplying the armies, and of pacifying the *Sans-Culottes* by the creation of their beloved *greniers d'abondance*.

The pioneer of this new revival seems to have been the Parisian M. Protot who published, in December 1792 his *Vues nouvelles sur l'Administration des grains*.¹ As head of the Paris *Maison de Secours*, Protot was in an unparalleled position to observe the effects of governmental economic policy. The *Vues nouvelles* envisaged a network of *greniers nationaux*, directed by an administration elected in each municipality, and stocked by a fixed contribution from each proprietor, paid for at a fixed price. The granaries were to sell at a price sufficient to cover running costs, any incidental profits being either turned over to a hospice for the sick and infirm, or spent on public works.

The nationalization of the grain trade, a constructive measure does not appear to have appealed to the revolutionary left, the so-called *Enragés*, to the same extent as the *Maximum* and the economic terror, and the *greniers d'abondance* do not find anything like a comparable place in the political agitation of 1793.

Nevertheless we know that at the beginning of March the Paris *Section* of the Gravilliers, one of the most consistently *enragé sections*, discussed a project for a network of *magasins nationaux* administered by *comités alimentaires* and stocked by the tax contributions of the farmers and peasants.² A similar

¹ M. Protot, *Vues nouvelles sur l'administration des grains en France* (Paris, 1792), pp. 17 (F.H.T.).

² *Le Scrutateur Universel* (3 March 1793), quoted by A. Mathiez, *La Vie Chère*, p. 182. In 1792 *greniers d'abondance* had been advocated in a manifesto of the *Enragé* leader from the *Section*, Jacques Roux; the *Discours sur les Moyens de sauver la France et la Liberté*.

idea formed the basis of a contribution of the deputy Fabre de L'Hérault to the discussions in the *Convention* which led up to the vote of the first *Maximum*. Fabre envisaged the storing of all surplus grains, purchased by the local authorities at the current Paris price, in his *greniers d'abondance*.

It was not, however, until the aggravated crisis of August 1793th at the *greniers d'abondance* were at last taken seriously by the authorities. On this occasion their champion was the Jacobin deputy Léonard Bourdon, always closely linked politically with the Gravilliers *Section*.

Bourdon reminded the Jacobin Club and the *Convention* of the popular demand expressed in the *Cahiers* of 1789, and also of the considerable number of towns and districts which had already, independently, created local public granaries. Such granaries, competing against one another in the markets, merely added to the existing confusion, he argued, and should be integrated in a national network. Bourdon's scheme, accepted for discussion by the *Convention*, was little more than a summary of the projects of the pioneer reformers: a fixed national price for grain, powers of compulsory purchase, State monopoly of export and import and a national census to be applied by the elected central and local administrations.

The plan emerged from the hands of the governing committees considerably modified. The decree of 9 August permitted the establishment of a national network of granaries, but made no provision for a separate corps of administrators; proprietors were to be merely invited, and not compelled, to offer a portion of the harvest in the form of a tax contribution. There was no mention of compulsory purchase. On the other hand, Barère, in guiding the measure through the *Convention*, promised the construction, at the cost of the Republic, of a system of municipal bakeries to put a stop to the extortions of the private bakers. The Lyons experiment had not passed unnoticed.

It is not within the scope of the present article, nor is there probably sufficient information available to discuss in detail the history of the *greniers d'abondance* established by Barère's decree. Mathiez has argued, with force, that their successful administration was impossible in a period of revolution, war, and economic

dislocation. Certainly, the kind of economic reorganization envisaged by the more thorough-going reformers would have been an immensely difficult task for any eighteenth-century government, even in time of peace.

In the event, the attempt to force the producers to deliver up the harvest at a fixed price was all but catastrophic. It resulted in the need for rationing in the cities, and in a régime of requisitions, which soon degenerated into the kind of war between townsman and peasant which R. C. Cobb has illustrated in a recent account of the Revolutionary Army.¹

The French Revolution is usually regarded in part, at least, as a revolution for economic liberalism. Even its most Jacobin protagonists, in the majority, placed their faith in the theories of Adam Smith and the Physiocrats rather than in an outmoded *Étatisme* and in proposing the general *Maximum* of 29 September 1793 the Committee of Public Safety could not forbear to remind the Convention "In normal times prices are formed naturally, by the reciprocal interests of buyers and sellers. This balance is infallible. It is useless for even the best government to interfere." This attitude of mind was shared even by the extremist, ultra-Jacobin wing of the *Montagne*. In his apology for the Revolutionary Government, written for the benefit of the liberal bourgeoisie of the Bourbon restoration, the representative *Montagnard* Levasseur summed up the political philosophy of 1793 when he remarked : "Certes, il faut l'avouer, en thèse générale, la liberté illimitée du commerce vaudrait beaucoup mieux ; il est très vrai qu'avec liberté et concurrence toute garantie est donnée que les citoyens ne refuseront pas de vendre leur denrées et ne vendront pas à un prix trop élevé, mais ces axiomes aussi simples que vrais, quoique très applicables dans un temps calme, ne trouvent point leur application dans une ère de crise comme celle nous avons eu à traverser."²

During the revolutionary decade, 1789 to 1799, State interference in economic affairs was, in the official view, a temporary,

¹ R. C. Cobb, *L'Armée Révolutionnaire Parisienne à Lyon* (Lyon, 1953).

² Levasseur de la Sarthe, *Mémoires* (Paris, 1829), ii. 125.

regrettable aberration imposed by irresistible external circumstances. It is, therefore, the more important that we should recognize the persistence of the opposed, popular and "unofficial" tradition that economic activity by the State was a natural and a necessary phenomenon, part of a process for ensuring to all citizens a tolerable standard of life. This second tradition expressed itself not only in the pamphlet literature of the time, but also in the practical experiments of many local administrations, closer to the immediate needs of the population, perhaps, than the central government in Paris.

A JEWISH PRINTER IN NAPLES, 1477

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LITTLE attention has hitherto been paid to the activity of Jews in the printing industry generally—not, that is, solely in connection with the production of Hebrew books—in the period of the Renaissance. The outstanding and only familiar instance is that of Geronimo or Gershom (Hieronymus) Soncino, who was a figure of first importance in typographical history in both spheres. But he did not stand alone in this respect, as is generally thought, and a number of other contemporary instances may be assembled.¹ The most important and perhaps earliest of them all is unfortunately anonymous. His interest is, however, so great as to merit separate treatment.

Only one work is traceable which was produced by this otherwise-unknown Jewish printer, but it is an extremely important one. It is the fine folio edition (230 fol.) of Dante's *Divina Commedia* which appeared in Naples in 1477, the printing being completed (as we are informed in the colophon) on 12 April of that year: there is a slightly defective copy of this very rare work in the John Rylands Library.² This volume is of considerable significance in Dante studies. It is the fourth edition of the great poem to appear, being preceded only by the three editions (Foligno, Mantua, Venice) of 1472: it is, more-

¹ I have collected data on the subject in an article: "Jewish Printers of non-Jewish Books in the Fifteenth and Sixteenth centuries", in *Journal of Jewish Studies*, vol. iv (1953), 116-30.

² Collation :

Dante Alighieri, *Divina commedia*, 12 April 1477. Fol.

Ff. 226. 18321.

a—h I 1—z aa-ee⁸ ff⁶ gg⁸.

sigs. a1 (blank), o2, o7, and gg⁸ (blank) are wanting.

Duplicates of sigs. n2 and n7 are substituted for o2 and o7. Sigs. a2-5 and gg5-7 are mounted.

276 × 200 mm.

There is another slightly defective copy in the Bodleian Library.

over, considered to present a better text than any of these.¹ It was followed closely from the press by another edition which was published in the same city not long after (the date is not specifically indicated, but for reasons that will appear later it is believed to be 1478) by the great Neapolitan printer Francesco Del Tuppo.² It is on this that we have to rely for the slender additional indications that may be deduced concerning the anonymous 1477 issue. For Del Tuppo appended to his production an epistle to the "Electi" (elected Representatives) of the city of Naples, in which he indicated with some passion the circumstances in which it appeared. This is an extraordinary document. After a virulent anti-Semitic tirade, going back through history to the overthrow of the Jews by Titus and Vespasian, the printer goes on to say :

At present, it seems that they have raised their head, and have become so bold that they believe that Jews will come from Gog and Magog to take them back to the Promised Land. Hence they engage in many perilous ventures. It is not many years since they martyred a child named Simon in Trent, whence that city had the satisfaction that many were hewn to pieces. Wherefore I . . . wishing in these past days to print Dante, who is so bound up with our Faith (treating as he does of the rewards of the blessed and the pains of the wicked) there arose against me an arrogant Jew (*fiero Iudio*), who is certainly one of those who called to Pilate : " His blood be on us and on our children." He from every side endeavoured to make me desist [from the work], finding plausible reason for this : whether he was [unduly] favoured or not is no matter for discussion at present. However, since you considered it to be in the interests of the Commonwealth, you defended me and helped me ; for which I am deeply grateful, though yet full of indignation for the outcome that I have seen. . . . Let the Jew with his favour proceed to what he will : I will turn to Justinian [i.e. Law] and repose my weary limbs. Farewell !³

¹ *Gesamtkatalog der Wiegendrucke*, n. 7961 : Fava-Bresciano, *La Stampa a Napoli nel xv. secolo*, ii. n. 195. Earlier bibliographers ascribed the edition to Mathia Moravo or Aiolfo de' Cantoni : we will see below why this ascription is now abandoned.

² *Gesamtkatalog*, n. 7962 : Fava-Bresciano, i. 41 and ii. n. 52 : *Catalogue of Books printed in the xv. century now in the British Museum*, vi. 869-70 (Procter, n. 6717). Only two complete copies of this work are recorded—in the British Museum and the Trivulziana (Milan). Meanwhile (1477) there had been a second Venetian edition.

³ The Italian text is reprinted in full by Fava-Bresciano, ii. 41, and the essential passages are excerpted in the other works mentioned in the previous note.

It is not very easy to comprehend the full import of this incongruous outburst. What, however, seems quite clear is that, after Del Tutto had begun work on his Dante edition, a Jewish rival attempted to procure some sort of judicial or administrative order compelling him to abandon the enterprise. There can have been no general objection to publishing Dante, and it is therefore obvious that the Jew must have claimed that it was in some way a breach of his rights—i.e. that he had been granted a monopoly for the publication of the *Commedia*, or that the new edition would have involved unfair competition for one on which he was himself engaged at the time. Indeed, Del Tutto seems to admit that the other had the letter of the law on his side. He was therefore ordered to stop, or at all events feared that this was about to happen. Later on, however, owing to the favour of the *electi* of the city of Naples, to whom he therefore professed such profound gratitude, he was able to resume (or continue) his work. A curious allusion to the encounter is to be found in the text of his edition. At the end of the *Purgatorio* (fol. 59b) he has inserted in bold type by way of valedictory, in place of the normal pious ejaculation, the words "Let the unhappy Jew blush for shame" (*Erubescat Judeus Infelix*). It was just before he reached this point, presumably, that the attempt was made to interrupt his labour.

From Del Tutto's words, then, it seems obvious that another edition of the *Divina Commedia* was published at Naples by a Jew, just before his own. Neither his publication nor his letter gives a date, but it is not difficult to fix the year with some precision; for his activity is well documented, and it is clear that this work of his was after, but not long after, the horrible Ritual Murder trial at Trent in 1475 (the executions to which he refers took place in December 1475 and January 1476). Now, there is only one edition of the *Commedia* produced in or near Naples (or indeed elsewhere in Italy) at this time to which his tirade can possibly refer. This is the anonymous 1477 edition spoken of above, which must accordingly be ascribed, as is now generally agreed, to the unknown Jewish printer. Del Tutto's appeared shortly after this—probably therefore (as has been indicated above) in 1478.

Close inspection of the publication in which we are principally interested, and comparison with other volumes produced by Jews in the fifteenth and sixteenth centuries, provide a certain degree of support for our hypothesis. The mere fact that the volume was anonymously produced is itself an indirect confirmation. The printing of non-Jewish works was what might be termed an inconsistent occupation for a Jew at this time, and there was certainly a prejudice against, and at some times even an outright prohibition of, the practice of the art of printing—even of Hebrew books!—by Jews. A Jewish imprint would not have helped to sell the volume, and might even have impeded it; and, since the Jew's interest in such activity was presumably more economic than literary, he would naturally have been content to launch it without flaunting his name. We have a parallel instance in the fact that there was no mention in the works of the Bishop Jaime Perez (Valencia, 1484) of the *consortium* which produced the volume, one of whose members was the Jew Solomon Zalmati (as we know from the notarial records); or that Abraham Usque did not give his name when he printed the *Vysyon Delectable* of Alonso de la Torre at Ferrara in 1554, though he included his initials and his characteristic (but neutral) printer's mark: or that the Hebrew printer, Dr. Jacob Marcaria, omitted his imprint in all but one of the Latin pamphlets which he produced for the Council of Trent in 1562-3.¹ For a Jew publishing Dante at Naples in 1477 not to mention himself is thus precisely what one might anticipate.

Another point seems to suggest the same conclusion. The colophon to the 1477 volume reads: *Impresso nela magnifica cipta di Na poli : cū ogni diligentia & fede. Sotto lo inuictissimo Re Ferdinando : inclito : Re de Sicilia. &c. Adi XII. dil mese / di Aprile, M.CCCC.LXXVII. LAVSDEO [sic].* It will be observed that the formula is from the religious point of view strictly neutral. The year is given in the simplest possible fashion, without the habitual (though not indeed invariable) *anno domini*

¹ Details and references which substantiate these statements may be found in my study on Jewish Printers of non-Jewish Books, to which I have alluded. Cf. also my article, "The Marrano Press in Ferrara, 1552-1555", in *Modern Language Review*, xxxviii. 307-17.

or *anno salutis*. The valediction, *Laus Deo*, is similarly a neutral formula, without any specifically Christian flavour. This point must not be overlaboured. On the one hand, many other works of the period, indubitably produced by earnest Christians—including early Dante editions—use the same or similar terminology, in either case. On the other, the devoted Jew Ger-shom Soncino used Christological formulas in books produced for the non-Jewish market. Nevertheless, these circumstances render the more probable the ascription of the 1477 Dante to a Jewish printer. The fact that in this year 12 April was a Saturday—the Jewish Sabbath—has no bearing on the problem: the final touches to the work could very easily have been carried out after nightfall, and might even have been deliberately postponed in order to give the opportunity for a convivial celebration.

It is significant, moreover, that, as it happens, we have definite evidence of the association of Jews with the book-trade in the kingdom of Naples at the end of the fifteenth century: evidence of a type which is in fact not available so far as I know anywhere else at this period. The records mention a Venetian book-dealer named Jacopo de Leone who settled in Naples before 1483, lived there for more than ten years, and married a Neapolitan woman. There is no definite proof that he was a Jew, though the name (= Jacob ben Judah?) seems to be characteristic. On the other hand, there is no doubt regarding two other booksellers, David Bono and Graciadio (= Hananel?) Rout, specifically described as Jews, whom we encounter in 1491, selling books within the realm, shipping them in considerable quantity abroad, and exempted like other book-dealers from the normal export duties.¹ There is no suggestion in the documents that they dealt in Hebrew books. At this time, there was indeed a flourishing Hebrew publishing trade in Naples. But the numbers of works produced and the possibilities of sale were restricted, and the printers themselves probably had better facilities for marketing their productions than the local dealers. There is thus a probability rather than a mere possibility that David Bono and Graciadio Rout were engaged in the general

¹ N. Ferorelli, *Gli ebrei nell' Italia meridionale* (Turin, 1915), p. 124.

PROTHESIS COMPARATIVA. FABVL A. I.



T IVVET ET PROSIT CONA
TUR PAGINA PRAESENS:
Dulcis ardent sera p̄t̄r̄ coas.
Hortulus sic pars fructū cō flore: favore
Hos & fructus emunt: hic niter: ille sapit.
Si fructus plus flore placet fructum lege:
si flo
Plus fructu: florem: si duo: carpe duo.
Ne mibi sorpenē sopire int̄ra sensum:
In quo perwiglet mens mea mouit opus.
Vt melis precium de illi furgat agello:
Verbula siccā deus complue rōe suo.
¶ Verborum leuitas morum fert pondus honustum:
¶ Et nucleus celat arida testa bonum.

YMAGO.

Cio che alli uiuente ioue & faza utilita. lo autore Elopo se storrza
a conponere lo prelente libro ad similitudine de uno muro. quale e
piu nobile essendo depinto che quello el quale e senta pittura uole
doncha che le sequente fabule siano ad similitudine de uno jardino quale
e ueluto de mischi fiori & fructi. dona alla leggure dello libro li fiori de no
lere cogliere ad lor piacere & li fructi zo e la moralita che se caua delle
fabule non le e uerato & chi li fiori ellu fructi uorra ad suo piacere sia. Di
ce adoncha lo Poeta che con grande intelletto deude legere lo suo libro.
& aro che uenga lo prezzo della scogna dello suo libro inuocalo eterno
idio che con la rulata sua abia de auutare lo suo intelletto.

TROPOLOGIA.

Ice questa tropologia de Elopo digna de listere aree che soleno
d le poco parole haueren gran sentimento grande scienza & morali
ta & una testa sicha paza & piena de uento & de fantasie nalconde
allai uirtute. Quisto significato per ottimo intelletto lo Poeta lo medie
olciero acio sia lo suo seruire intelo.



First page of text in the *Aesopus Moralisatus*, printed at Naples, for Francesco Del Tuppo, 13 February, 1485. The border is also used in Hebrew books by Soncino. From the copy in the John Rylands Library.

Quale ilgeometra che tutto saffige
permisurar locerchio & non ritroua
pensando quel principio ondelli indige
Talera io aquella vista noua
ueder uolea come siconuenne
limago alcerchio & come uisindona
Ma non eran daccio lepropie penne
se non chelamia mente fu percossa
da unfulgore inche sua uolglia uenne
A lalta fantasia qui manco possa
magia uolgea il mio disio iluelle
sicome rota cheigualmente e mossâ
L amor chemuouel sole & laltre stelle

Finisse la tertia & ultima Comedia di
Paradiso, delo excellentissimo poeta
laureato Dante: alleghien di firenze.
Impresso nela magnifica cipta di Na
poli: cù ognî diligentia & fede. Sotto
lo inuictissimo Re Ferdinande inclito
Re de Sicilia. &c^t. Adi XII. dil mese
di Aprile, M. CCCC. LXXVII.

LAVSDEO

The last page of the *Divina Commedia* of Dante Alighieri, printed at Naples,
by the anonymous Jewish printer, 12 April 1477. From the copy in the
John Rylands Library.

book-trade. To be sure, we must resist the temptation of trying to identify one or the other of them with the anonymous Dante-printer of 1477; nor is it reasonable to suggest that we have here another enterprise of Abraham ben Garton, who produced the earliest dated specimen of Hebrew printing at Reggio di Calabria in 1475 (he then disappears from view), and is the only Jewish printer hitherto traceable in South Italy before 1487.¹

The curious dispute over the production of the *Divina Commedia* was not the only point of contact between Del Tuppo and the Jewish printers of his day. In 1485, he was to publish his superb edition of Aesop's *Fables*—his most memorable work, rightly considered to be one of the loveliest specimens of fifteenth-century Italian book-production. Of this too there is a copy among the treasures of the John Rylands Library.² Surrounding the first page of the text of this memorable volume, after the preliminary matter (a good way, that is, through the book), there is a splendid white-on-black engraved border, of typical Renaissance design, depicting naked and winged putti, who are disporting themselves on an intricate floral background.³ This border, as it happens, was taken over before long by the Hebrew printers of the Soncino family, and was used by them repeatedly in various works—e.g. at the beginning of the Rashi of 1487 and before the Prophets in the *editio princeps* of the Hebrew Bible of 1488 (both probably printed at Soncino). In the latter case, so as to retain the balance of the page and have the wider margin on the inside, in spite of the fact that it was transferred from an Italian to a Hebrew book, the embellishment was used on the *verso* of the leaf, the *recto* being left

¹ One should perhaps call attention also in this connection to Garton's assistant, whose carelessness he blames in the colophon to the work mentioned.

² Collation :

Aescpus moralisatus. Naples, [Germani fidelissimi for] Francesco del Tuppo, 13 February, 1485. Fol. Ff. 165.

18392. GKW. 441.

[a-d⁸ e-f⁶ g-t⁸ v-x⁶ y⁸].

Sigs. [a1], [f6] and [y8], blanks, are wanting.

Sig. [a2] is mounted.

289 × 205 mm.

³ Max Sander, *Le livre à figures italien* (1942?), I. n. 52; IV. lxxxi, VI, 826: it is reproduced also by Fava-Bresciano in the portfolio of plates, n. xii, and on the plate facing.

blank.¹ At the beginning of a book, however, this expedient was awkward. Later, therefore, the Jewish printers cut the block into four sections and interchanged the side panels, using it in this mutilated form on fol. 1a of the Talmudical tractates *Niddah* and *Hullin* (1489); in the *Mishneh Torah* (1490); and in the *Tur* (1490?).²

These details are incidental. What is of importance is the astonishing fact that decorative material which first appeared under the auspices of Del Tuppo, who was at daggers drawn with the Jews in 1478, was so lavishly used by Jewish printers from 1487 onwards. It would be natural to imagine that we have here a peculiarly undignified instance of plagiarism. But the episode appears in a new light if we examine the contents of the Aesop in detail. Quite gratuitously, and indeed one might say with obvious effort, Del Tuppo introduced among the fables in this classical work two stories relating to Jews, in both of which they figure in a favourable guise. The one, indeed (Fabula LXI: "De Iudeo et pincerna regis"), is of minor relevance: it tells how an inoffensive Jew was murdered by the king's cup-bearer, and how the criminal was brought to justice. The other story, however (appended to Fabula XXIIII: "De Regio accipitre et columbis"), is extremely significant. It is the famous tale of the Three Rings, immortalized in Boccaccio's *Decameron* and renewed centuries later in Lessing's *Nathan the Wise*, emphasizing the essential unity and identity of the three great monotheistic faiths. Certainly, the Del Tuppo of 1478, author of the bitter tirade against the Jews included in his edition of the *Divina Commedia*, would not have shared this attitude or published such material. It appears therefore that, between that date and 1485, his outlook had changed and a rapprochement had taken place. And a fruit of this change is the fact that, two

¹ The question of the transference of woodcuts in the fifteenth and sixteenth centuries was discussed by A. W. Pollard in an article in *Bibliographica*, ii. 43-68, reprinted in his *Old Picture Books* (London, 1902), pp. 73-98. For these instances, see my article in *Bodleian Library Record*, iv (1953), 295-303.

² All (or most of) the borders to the Hebrew books spoken of in the present article are reproduced in A. Freimann's *Thesaurus Typographiae Hebraicae Saeculi XV* (and less systematically in other works). See also Marx, *Studies in Jewish History and Booklore* (New York, 1944), pp. 289-90 and 299, with the references he gives; and Sander, op. cit. n. 991, etc.

years later, the Soncino printers were able to make use of his work in their productions.

Another border which appears in Naples at this time provides a further link between the Jewish and non-Jewish printing houses, adding, however, at the same time a fresh element of mystification. *L'Aquila Volante*, ascribed to Leonardo Aretino, was printed here by Aiolfo de' Cantoni in 1492; of this also there is a copy in the John Rylands Library.¹ There occurs here a very lovely border, of what has been described as Hispano-Mauresque type and obviously inspired by Renaissance manuscript illumination: a delightful representation of putti, animals and birds, with profuse branch-work, the bottom panel containing a shield for a coat-of-arms.² This border also figures in Jewish works of the period. But, notwithstanding its apparent incongruity, it was in this case not necessarily borrowed by the Jewish printers from Gentiles, but conceivably was borrowed by the Gentiles from Jews. It first appears on fol. 1a of the Hebrew Pentateuch (with commentaries) published by Israel Nathan Soncino at Naples in 1491, but in a somewhat different form—that is, with the wide margin on the left (or outside) as is natural at the outset of a Hebrew work. It recurs twice in this same form, before the Pentateuch and the Prophets, in the splendid Bible produced by the same printer here in this or the following year. Of this too there is a copy in the John Rylands Library,³

¹ Collation :

Bruni (Leonardo), Aretino [Supposititious work].

Aquila volante. Naples, Ayolfus de Cantono, 27 June, 1492.

Fol. Ff. 148. 18399.

GKW. 5649 Anm.

a-g⁸ h-i⁶ k -l⁸ m⁶ n⁸ o-s⁶ t-u⁸ x⁴. The preliminary quire, A⁸, is wanting.
273 × 197 mm.

² Sander, op. cit. I. S 1418 : Fava-Bresciano i. 128, 133-4; ii. n. 188 (plate xlvi) : Catalogue of Books printed in the xv. century now in the British Museum, vi. 874.

³ Collation :

Biblia Hebraica. [Naples, Joshua Solomon ben Israel Soncino, c. 1492].

Fol. Ff. 433. 19641.

GKW. 4199 Anm.

סוד יגנָגְמַח מזע מִבְמַא מִכְטַ כְּה סַכְזַר וְטוֹא ^ט

Sig. סוד 10, blank, is wanting. Ff. 2-432 are foliated; ff. 82, 87, 90, 255, 261, 346 and 371 are wrongly foliated. The two

which has, in fact, two out of the three established incunable editions of the Hebrew Bible. Meanwhile, the border which we have described became available also with the wide margin on the right, as was proper in an Italian or Latin book. It was in this form that it was used not only by Cantoni, in the work mentioned above, but also—now incongruously—by Asriel Gunzenhausen, thrice, in his edition of Bahya's commentary on the Bible, also produced at Naples in the summer of 1492. In the second and third use, the border is on the *verso* of the page, as in the case of the Del Tutto border in the middle of the Soncino Bible of 1488. Like them Gunzenhausen apparently had decided that this was unaesthetic at the beginning of the volume, as it would have left the *recto* of the first leaf blank; he therefore printed it here with the wide margin inelegantly figuring on the inside.¹ What makes the whole matter particularly perplexing is the fact that it was already available and being used by his Soncino competitors in the same town in the "Jewish" form, with the margins properly disposed for use in Hebrew printing.

In the colophon to the work, mention is made of the assistance given to the printer by his brother-in-law, Moses ben Isaac, who is described as a skilled engraver on wood: so that there is some reason to believe that the border was his work.² Which

ff. following ff. 325 and 326 are also foliated 325 and 326; they are followed by 3 ff. numbered 129, 130 and 131, and by 2 ff. numbered 330 and 331 (errors for 332 and 333). The error of 2 ff. continues to the end of the foliation.

309 × 212 mm.

¹ This expedient was used also in placing an engraved border, very similar to that borrowed by the Soncinos from Del Tutto (and obviously based on it) in (i) the 1490 edition (Naples, Joseph Gunzenhausen) of Nahmanides' Commentary on the Pentateuch, and (ii) the Naples 1491 (Joshua Solomon Soncino?) edition of Kimhi's *Sepher Shorashim*. This border therefore was obviously intended in the first instance for use in a Latin or Italian work, never as it seems published. The same is the case with the smaller and coarser border on I. v. of Jacob Landau's *Agur*, and probably with other books also. This use, exclusively in Hebrew books, of decorative materials obviously intended in the first instance for Italian or Latin works, would appear to throw some light on the manner in which these borders were prepared by the artists for casual sale to the first comer. But this is a technical problem on which I have no competence.

² Marx, op. cit. p. 290. J. Bloch, in his article on Hebrew Printing in Naples (offprinted from the *Bulletin of the New York Public Library*, 1942), p. 10,

of the two was the original, and which the recut—the “Jewish” version with the wider margin on the left, or the “Gentile” version which has it on the right—it is impossible to tell with certainty. Nevertheless, in view of the complete absence of Jewish motifs, it seems reasonable to imagine that the Gentile form was the earlier in manufacture, though not in use. It is obvious in any case that Gunzenhausen borrowed it for his work. *L'Aquila Volante* was, as we are informed, completed on 27 June 1492; the *Bahya* on 8 Tammuz 5252, corresponding to 3 July of the same year, only six days later. There was thus no time for imitation or plagiarism in either direction: and one can only explain the sharing of this decorative feature as the result of a friendly (though not necessarily gratuitous) loan from the one printer's shop to the other, after the first pages had come from the press. That use was first made of it in *L'Aquila Volante* can be proved. In some copies of the *Bahya*, a small piece is broken off from the right-hand top of the inner margin in the page at the beginning of Genesis, this defect continuing apparently in all copies at the beginning of Exodus and Leviticus; whereas in Cantoni's Italian production it is intact. It is therefore certain that the block was first used in this work, then transferred to the Hebrew printer, and damaged while in use in his press.¹ The reference to Moses ben Isaac's skill as a wood-engraver would presumably dispose of the hypothesis advanced by some typographical authorities that this border (which was later conveyed to the Levant, and recurs in Hebrew

contradicts Marx on the score that Fava and Bresciano (i. 133 ff.) have “established beyond any doubt that all the woodcuts which were used to decorate Hebrew books in Naples were virtually all borrowed from the Neapolitan press of Francesco del Tuppo”. Bloch's ignorance of Italian must be responsible for this statement, for they say nothing of the sort.

¹ Marx first called attention to this fact (*op. cit.* p. 291), but spoke only of the second and third uses of the border in the *Bahya* as displaying this fault. It is, however, discernible also in the reproduction of the first page included in Freimann's *Thesaurus*, though not in the Goldschmidt copy reproduced in the *Chefs d'oeuvres hébraïques de la Bibliothèque Royale de Copenhague* (Paris, 1952), nor apparently in the copy of the Jewish Theological Seminary of America. This makes virtually certain Marx' hypothesis (not quite proven, for the block could have passed backwards and forwards between the two printers' shops) that it was first used by Cantoni.

books printed at Constantinople in 1522 and 1531) was cut on metal rather than on wood : unless Moses was responsible only for the incidental decorations, and not for the principal panel.¹

However this may be, this border seems to have some significance in the present connection. Of distinctly non-Jewish type, it was nevertheless first used by Jews, was possibly cut by a Jew, was adopted by a non-Jew only after it had appeared first in Hebrew printing, but was later used by a Hebrew printer in a non-Jewish form. No documents are ever likely to come to light which will enable us to solve finally this typographical mystery. But a solution seems conceivably to be suggested by the now-established fact, that there was a Jewish printer engaged in general printing in Naples just before this period, who produced the *Divina Commedia* of 1477. That he was prepared to content himself with this production is improbable. It may be suggested, with all reserve, that he had a more ambitious publishing programme : that he commissioned this border—from a Jewish craftsman?—for use in one of his later productions : that after his quarrel with Del Tuppo he was driven out of business ; and that he passed on this material to other printers, Jewish and non-Jewish, who made good use of it—Soncino, Gunzenhausen, Cantoni.²

¹ In the copy of the Bahya in the Library of Trinity College, Cambridge, the inset panel with the initial word בראשית is very coarse as compared with that reproduced in the *Thesaurus* and in the Naples Bible, and does not fit as well. Since the border above this is not broken, it was apparently an early impression, the finer panel being therefore borrowed later from Soncino. Possibly the wood-block had begun to warp, for the Copenhagen copy which is apparently the same as this has a break at the right-hand top of the *Bereshith* panel, though the border is intact. The problem is extremely complicated : I suggest a solution in an article, "The Border of the Naples Bible of 1491-2", in the *Bodleian Library Record*, iv (1953), 295-303.

² One is left to speculate whether this has any bearing on the sudden discontinuance of Hebrew printing in Naples. The press, which had begun its activity in 1486-7, was at the height of its productivity in 1492, when ten of the twelve Hebrew incunables which then appeared in Italy were produced there. No volume, however, bears a date later than the summer of this year, and thereafter Hebrew printing in Naples ends. It is difficult to imagine that this abrupt cessation can have been spontaneous.

It is perhaps worth mentioning that this period coincided with the production apparently at this same place of at least one superb (unfinished?) illuminated manuscript of the Hebrew Bible now in the Library of the University of Aberdeen: I have described it in a monograph now in the press.

It is a hazardous hypothesis, no doubt. What, however, is certain is that at the close of the fifteenth century there was a far closer connection between Jewish and non-Jewish printing and printers in Naples than has hitherto been suspected. The unknown Jewish printer of the Naples *Divina Commedia* of 1477 lies in a context of a continuous relationship between the Jewish and Christian printers here at this time.

THE MARRIAGE OF HOSEA¹

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THE marriage of Hosea has been a perennial subject of discussion amongst scholars, and the problems surrounding it are such that it is improbable that agreement will ever be reached. Jerome commenced the preface of his commentary on the book of Hosea by saying : “ If we have need of the help of the Holy Spirit in the interpretation of all the prophets . . . how much more, when we come to the interpretation of the prophet Hosea, should we pray to the Lord and say with Peter : ‘ Explain unto us this parable.’ ”² Ewald observed that “ at first

¹ A lecture delivered in the John Rylands Library on Wednesday, the 8th February 1956. The following abbreviations are used in the notes below : *A.J.S.L.* = *American Journal of Semitic Languages* ; *A.T.D.* = *Das Alte Testament Deutsch* ; *B.B.B.* = *Bonner Biblische Beiträge* ; *B.D.B.* = *Brown-Driver-Briggs, Hebrew and English Lexicon* ; *B.O.T.* = *De Boeken van het Oude Testament* ; *B.Q.* = *The Baptist Quarterly* ; *B.W.* = *The Biblical World* ; *D.B.* = *Dictionary of the Bible*, or *Dictionnaire de la Bible* ; *E.B.* = *Encyclopaedia Biblica* ; *E.B.* = *Études Bibliques* ; *E.T.* = *Expository Times* ; *H.A.T.* = *Handbuch zum Alten Testament* ; *H.K.* = *Hand Kommentar zum Alten Testament* ; *H.S.A.T.* = *Die Heilige Schrift des Alten Testaments* ; *H.U.C.A.* = *Hebrew Union College Annual* ; *I.C.C.* = *International Critical Commentary* ; *J.A.O.S.* = *Journal of the American Oriental Society* ; *J.B.L.* = *Journal of Biblical Literature* ; *J.E.* = *Jewish Encyclopedia* ; *J.N.E.S.* = *Journal of Near Eastern Studies* ; *K.A.T.* = *Kommentar zum Alten Testament* ; *K.H.C.* = *Kurzer Hand-Commentar* ; *P.L.* = *Patrologia Latina* ; *R.B.* = *Revue Biblique* ; *R.G.G.* = *Die Religion in Geschichte und Gegenwart* ; *R.H.P.R.* = *Revue d’Histoire et de Philosophie religieuses* ; *R.H.R.* = *Revue de l’Histoire des Religions* ; *S.A.T.* = *Die Schriften des Alten Testaments in Auswahl* ; *S.B.U.* = *Svenskt Bibliskt Uppslagswerk* ; *T.S.K.* = *Theologische Studien und Kritiken* ; *U.J.E.* = *Universal Jewish Encyclopedia* ; *Z.A.W.* = *Zeitschrift für die alttestamentliche Wissenschaft* ; *Z.W.Th.* = *Zeitschrift für wissenschaftliche Theologie*. For access to some of the works referred to I am indebted to my colleague, Rabbi P. R. Weis.

² Cf. Migne, *P.L.* xxv (1884), 815 : “ Si in explicationibus omnium prophetarum Sancti Spiritus indigemus adventu . . . quanto magis in explicatione Osee prophetae orandus est Dominus, et cum Petro dicendum : *Edissere nobis parabolam istam.* ”

sight this book of Hosea appears dark and enigmatical ",¹ and it has been said, with some exaggeration, that its first chapter is probably the most diversely interpreted chapter in all prophetic literature.² Not alone of this chapter, but of the whole story of Hosea's marital experiences, a bewildering variety of views has been put forward, and it is not my intention in this lecture to attempt to offer a new one to add to the bewilderment, but merely to review those which have continued to find advocates within the last thirty years or so, and to indicate which of them seems to me to be the most likely.

In the first chapter of the book of Hosea we have an account in the third person of the prophet's marital relations. We are told that the Lord's first word to Hosea was to "take a wife (or woman) of whoredom and children of whoredom",³ and that in consequence of this word he married Gomer the daughter of Diblaim, who subsequently bore three children. To each of these he gave symbolical names, as Isaiah gave symbolical names to his children.⁴ The first he called Jezreel, symbolizing a message that God would avenge the blood of Jezreel on the house of Jehu.⁵ By this he appears to have meant that for the bloodshed which accompanied the revolution of Jehu vengeance would be taken on his descendants of Hosea's day. Jehu's revolution had been inspired by Elisha,⁶ and Elijah had prophesied

¹ Cf. *Commentary on the Prophets of the Old Testament*. English trans. by J. F. Smith, i (1875), 210. Similarly P. Humbert, *R.H.R.* lxxvii (1918), 162, says it is impossible to form a coherent picture of the prophet's marriage.

² Cf. J. F. McCurdy, in *The New Schaff-Herzog Encyclopedia of Religious Knowledge*, v (1909), 371.

³ Hos. i. 2.

⁴ Isa. vii. 3; viii. 3.

⁵ Hos. i. 4. Y. Kaufmann (הַלְלוֹת האמונה והשראליות), iii, i (1947), 99) proposes to read "house of Jehoram" instead of "house of Jehu", on the ground that the reference is to the story of Naboth. This change is without any authority. Kaufmann rightly says that the blood of Naboth was avenged in the days of Jehoram, but that is no solid reason for dating the author of Hos. i-iii in his time (see below). The blood of Jezreel may just as naturally be understood of the blood shed by Jehu (2 Kings ix. 21-37), and the text here left unchanged, and other scholars of all schools find no necessity to make any change. N. H. Tur-Sinai, הלשון והספר, ii (1950), 319, thinks the name announced salvation, and that the blood of Jezreel, which was to be avenged, was the blood of the righteous and the prophets.

⁶ 2 Kings ix. 1-10.

with apparent approval of the bloodshed that would accompany the downfall of the house of Omri.¹ Not seldom in Israel's history a revolution which was prophetically inspired was subsequently condemned, sometimes by the same prophet. Samuel anointed Saul to be king,² but later turned against him and condemned him, and promised that his house should not endure.³ Similarly Ahijah urged Jeroboam I to divide the kingdom,⁴ but soon lost confidence in the new king and prophesied the downfall of his house.⁵ It need occasion no surprise, therefore, that so long after Jehu's revolution the prophet Hosea should prophesy evil for his house, especially in view of all the evils which the prophets saw in contemporary conditions under Jeroboam II.

The second child of Gomer was named Lo-ruhamah,⁶ or Unpitied, signifying that God would no longer have compassion on the house of Israel, or forgive their sins.⁷ The third child was called Lo-ammi,⁸ or Not-my-people, signifying God's rejection of Israel from being His people.⁹

The third chapter of the book of Hosea returns to the story of the prophet's marital relations, but this time in the first person. The prophet himself recounts how God commanded him to love a woman beloved of her paramour¹⁰ and an adulteress,

¹ 1 Kings xix. 19-24.

² 1 Sam. x. 1.

³ 1 Sam. xiii. 14.

⁴ 1 Kings xi. 31.

⁵ 1 Kings xiv. 7-11.

⁶ Tur-Sinai, op. cit. ii. 319, thinks the negative is an addition to the text.

⁷ Hos. i. 6.

⁸ Tur-Sinai, op. cit. p. 318, finds the negative to be an addition again here. These changes of the text are arbitrary and improbable.

⁹ Hos. i. 9.

¹⁰ Hos. iii. 1. The LXX and Syr. read the same consonants differently, and find the meaning to be "loving evils". Ibn Ezra took the verb to be active, "loving another man". R.V. margin has "beloved of a husband", and this was the view of Rashi. So also R. Gordis, *H.U.C.A.* xxv (1954), 24 n. In Jer. iii. 20 the word יָדֵךְ is clearly used of a husband, and in Jer. iii. 1 equally clearly of a paramour. The miserable condition from which Hosea bought her does not suggest that the woman was highly cherished by her paramour, and while, if the view that she is Gomer and that this incident is subsequent to that of chapter i is correct, she was certainly beloved of her husband, it would be strange for Hosea to be bidden to love a woman who was beloved by him. Hence I prefer the view of Ibn Ezra, which is followed by many modern editors. J. Lindblom, *Hosea literarisch untersucht* (1928), p. 19, thinks M.T. is more in

and how he bought her¹ for silver and barley, but kept her for a time under control, without permitting her to play the harlot or to be any man's wife.² Here, again, a symbolical meaning is accordance with oriental ways of thought. A. D. Tushingham, *J.N.E.S.* xii (1953), 151 f., thinks the word אהבה here has the special sense of carnal passion rather than "love".

¹ The Hebrew word used here, **אָכַרְתָּ**, is commonly taken to be from the root **כָּרָה** = buy (so in the Dictionaries of Gesenius, II, i. 1839; Siegfried-Stade (1893); *B.D.B.* (1907); Gesenius-Buhl, 17th edn. (1921); König, 6th edn. (1936); Koehler-Baumgartner (1953); also in Rabbi Yonâh, *The Book of Hebrew Roots*, ed. by A. Neubauer, 1875, cols. 331 f.). This verb is found elsewhere in Deut. ii. 6; Job vi. 27; xl. 30 (E.V. xli. 6). The unusual form here in Hos. iii. 2 is explained by Gesenius-Kautzsch, *Hebrew Grammar*, English trans. by A. E. Cowley, § 20 h, as due to the insertion of *daghesh forte dirimens*. A. B. Ehrlich, *Randglossen zur hebräischen Bibel*, v (1912), 171, proposed to read **אָשָׁכָרָה**, and W. R. Harper, *Amos and Hosea* (I.C.C.) (1910), p. 216, says this was the reading implied by LXX ἐμισθωσάμην. Since the Arabic root cognate with **כָּרָה** has the meaning "to hire" (used of hiring a beast), this would seem to be unnecessary (H. S. Nyberg, *Studien zum Hoseabuche* (1935), p. 23, finds no need to emend the consonantal text to explain LXX reading). C. H. Gordon, *J.B.L.* lvii (1938), p. 409, proposed to derive the word from the root **נִכַּר**, which he found also in the Krt text from Ras Shamra, where he found it to be a technical term referring to the payment made upon remarriage. This view of the Krt passages he abandoned in his *Ugaritic Handbook* (1947), p. 251a, and *Ugaritic Literature* (1949), pp. 69, 71 (col. I, lines 102, 191), and instead followed H. L. Ginsberg, *The Legend of King Keret* (1946), pp. 16, 18. According to R. Gordis, loc. cit. p. 25 n., Gordon has now returned to his former view. Gordis doubts, with reason, whether Hebrew had a special term for remarriage, but agrees with Gordon that the verb here in Hos. iii. 2 is from the root **נִכַּר**, which he believes to be used of purchase in marriage. The same view is taken by J. Gray, *The Krt Text in the Literature of Ras Shamra* (1955), p. 37. It is curious to note that in the *Lexicon* of Gussetius, 1743, the word in Hos. iii. 2 is derived from the root **נִכַּר** (p. 983 a). Both Gordis and Gray refer to 1 Sam. xxiii. 7, where the root **נִכַּר** stands in the Hebrew, while LXX understood it to mean "sold". The context here, however, is quite unrelated to marriage, and many editors emend the text. In Judges ii. 14, iv. 9, where the sense is similar to that of 1 Sam. xxiii. 7, the root **מִכַּר** is used, and either that or the root **סִגְר** may have stood originally in the latter passage. A. D. Tushingham, *J.N.E.S.* xii (1953), 153 f., cites D. Daube's discussion of the legal significance of the root **נִכַּר** = "recognize" (*Studies in Biblical Law* (1947), pp. 5 ff.) and suggests that the word here in Hos. iii. 2 is from this root, and means "I acquired possession of her for myself". This would be quite a considerable development from the meaning for which Daube argues. L. Waterman, *J.B.L.* xxxvii (1918), 202 ff., derives the form in Hos. iii. 2 from the root **כָּרַר** and renders "I caused her to turn back to me".

² Hos. iii. 3, where R.V. has: "thou shalt not play the harlot, and thou shalt not be any man's wife: so will I also be toward thee." Wellhausen added

given to this. It was to symbolize that Israel, who had been false to God and had sought other gods, would be for many days without king or prince, or cultic observances, until she returned in penitence to God.¹

In between these two chapters we find chapter ii. continuing the account of chapter i with an oracle in which the prophet says : “ Plead with your mother, plead ; for she is not my wife, neither am I her husband : and let her put away her whoredoms from her face, and her adulteries from between her breasts. . . . Upon her children will I have no mercy ; for they be children of whoredom. For their mother hath played the harlot : she that conceived them hath done shamefully : for she said, I will go after my lovers. . . . And she shall follow after her lovers, but she shall not overtake them. . . . Then shall she say, I will go and return to my first husband ; for then was it better with me than now.”² Here it would seem that the prophet’s wife and children are referred to.³ But in the following verses it is the words **לא אבוא** to the last clause, and so made the meaning to be that the prophet would refrain from intercourse with her (*Die Kleinen Propheten*, 3rd edn. (1898), p. 105). Other editors have followed him in this. This would appear to be the meaning, as Ibn Ezra and Kimhi already perceived, though they did not think it necessary to emend the text, but thought it was implied. Cheyne, *The Book of Hosea* (Camb. B.) (1913 edn.), p. 59, thought the meaning was that Hosea would have no other woman, but this seems less appropriate. In disciplining his wife by denying her intercourse with any man, he was inevitably disciplining himself also, and the more so because of his love for her. F. Buck, *Die Liebe Gottes beim Propheten Osee* (1953), p. 13 n., favours a suggestion by Bachmann (whose work is not accessible to the present writer), that **אל** should be inserted, yielding **וגם הני אל אליך**, which he renders “Also I (will) not (belong) to thee”. He compares 2 Sam. i. 21 and Isa. lxii. 6 for the construction. Ewald, loc. cit. pp. 245, 247, understood the meaning to be “and yet I am kind to thee”, and held that the words could have no other meaning, while J. A. Bewer, *A.J.S.L.* xxii (1905-6), 130, thought the meaning was “Yet I on my part am thine”. D. Buzy, *R.B.*, N.S. xiv (1917), 420, denied that there was any seclusion for the woman, but thought the meaning was simply that she would be kept from her lovers. It is hard to see why, in that case, this should be only “for many days”.

¹ Hos. iii. 4 f.

² Hos. ii. 2-7 (Heb. 4-9).

³ T. H. Robinson finds here “eine merkwürdige Kombination der kollektivistischen und der individualistischen Auffassung des Volkes”, in that Israel is thought of as a single person with the individual Israelites as her sons (Robinson-Horst, *Die zwölf Kleinen Propheten* (H.A.T.) (2nd edn., 1954), p. 8). Similarly A. Baumgartner says that these words are addressed to the Israelites, and that

clear that he has not Gomer and her children in mind, but the people of Israel, whose conduct is symbolized in all his own experience, and whose desertion of God is to be punished until she returns to Him, when He will betroth her to Himself for ever.

Within the prophetic books we find many passages which recount the setting of the prophetic oracles in the third person, and these appear to have been culled from prophetic biographies, probably written by the disciples of the prophets. We also find passages in the first person embodying oracles, probably drawn from separate sources which had the form of memoirs of the prophets. In addition there are many oracles with no indication of their setting, which may have come from yet a third type of collection.¹ It is to be observed that in the story of Hosea's marriage, with the intervening chapter which is so closely related to it, we have all three of these types represented. It is likely, therefore, that the three chapters, though related in subject, came from three separate sources. This does not mean that any of them is necessarily inauthentic, though, as will appear later, some scholars reject substantial elements. If, however, the two accounts of Hosea's marital experiences come from different sources, the relation of the one to the other calls for definition, and here is one of the major difficulties which complicate the whole discussion of the prophet's marriage.

Some writers hold that chapter iii is an account of Hosea's marriage parallel to that given in chapter i and that it gives a variant account of the way in which he came to marry his wife,

the mother is the land of Israel (*La Bible du Centenaire*, ii (1947), 708). Against this Gordis, rightly in my judgement, says : "The children who are being called upon to reprove their mother are Hosea's actual children, and they are, naturally, personalities distinct from their mother" (loc. cit. p. 22). It may be noted that Baumgartner (loc. cit.) finds it necessary to delete the last clause in ii. 3 (Heb. 5) on the ground that it is inapplicable to the land.

¹ S. Mowinckel first drew attention to this and found three categories of material employed in the compilation of the prophetic books. Cf. *Zur Komposition des Buches Jeremia* (1914), pp. 17 ff. Later, T. H. Robinson independently made a similar analysis (*Expositor*, 8th ser., xx (1920), 17-31; *E.T.* 1 (1938-9), 198-202; *Prophecy and the Prophets in Ancient Israel*, 2nd edn. (1953), pp. 50 ff.; and Oesterley-Robinson, *An Introduction to the Books of the Old Testament* (1934), pp. 221 ff.).

and that historically what is described in chapter iii. precedes what is described in chapter i.¹ In the English version iii 1 reads : " Go yet, love a woman ", or, in R.S.V., " Go again ". Here, it is suggested, the word rendered " yet " or " again " may be either the addition of an editor who brought the materials together from the various sources to form the present book, or, alternatively, it may attach to something which had preceded in the autobiographical source.² Rabbi Gordis, to whose view we shall come later, observes that the Hebrew accents make it possible to take the word " again " either with the words that precede or with those that follow, and he prefers to take it with the words that precede, and to render : " The Lord said to me again."³ It may therefore be agreed that this word cannot be pressed into the service of any theory.

It is curious that chapter iii says nothing about the birth of the children, to which so much importance is attached in the first account. Is it conceivable that the prophet himself, in his

¹ So, amongst others, C. Steuernagel, *Lehrbuch der Einleitung in das Alte Testament* (1912), p. 605 ; R. Kittel, *Geschichte des Volkes Israel*, 7th edn., ii (1925), 348 n. ; J. M. P. Smith, *The Prophets and Their Times* (1925), p. 59 ; L. Gautier, *Introduction à l'Ancien Testament*, 3rd edn., i (1939), 465 f. ; T. H. Robinson, *T.S.K.* cvi (1934-5), 301-11 ; O. Eissfeldt, *Einleitung in das Alte Testament* (1934), pp. 431 f. ; A. Baumgartner, *La Bible du Centenaire*, ii (1947), 711 ; J. Paterson, *The Goodly Fellowship of the Prophets* (1948), p. 43 ; A. Lods, *Histoire de la littérature hébraïque et juive* (1950), pp. 247 f. ; N. H. Tur-Sinai, op. cit. ii. 309 f. ; cf. also D. Deden, *De Kleine Profeten* (B.O.T.), i (1953), 12b, where, however, the marriage is interpreted allegorically. J. Lindblom, *Hosea literarisch untersucht* (1928), p. 41, says : " Das erste und das dritte Kapitel des Hoseabuches bieten uns also zwei Parallelberichte, von denen aber jeder eigentümliche Züge im Verhältnis zum anderen hinzufügt. Der erste interessiert sich am meisten für die späteren Begebenheiten in der Ehe Hoseas, der zweite für die, welche zu ihrem Anfang gehörten. "

² Cf. T. H. Robinson, *T.S.K.* loc. cit. p. 309. Amongst the scholars who favour the deletion of the word יְלֹא may be mentioned : Steuernagel, loc. cit. ; H. Guthe, in Kautzsch-Bertholet, *H.S.A.T.*, 4th edn., ii (1923), 7 ; Gautier, op. cit. i. 465 n. ; Eissfeldt, op. cit. p. 432 ; Lindblom, op. cit. p. 17 ; A. Baumgartner, loc. cit. ii. 711.

³ Loc. cit. pp. 29 f. Similarly J. M. P. Smith, *B.W.* xlii (1913), 99 a ; R. Kittel, op. cit. ii. 348 n. ; R. H. Pfeiffer, *Introduction to the Old Testament* (1941), p. 567. H. Ewald, op. cit. i. 246, had earlier rejected this view, and so K. Budde, *T.S.K.* xcvi-xcvii (1925), 57, and A. D. Tushingham, *J.N.E.S.* xii (1953), 156 n.

own account of his marriage, should pass over without mention so much that is recorded in chapter i? To this the simple answer is that we do not know that he did. We cannot rule out the possibility that in the source from which chapter iii was taken there stood the story of the birth of Gomer's children, which the compiler omitted because he had already included the other account of this.

Much more damaging for this theory is the consideration that in chapter iii it is said that immediately after the prophet bought the woman he was told to love, he isolated her for a period from association with any man, in order to symbolize the fact that Israel would be for many days without king or prince or cultic practices until she returned to the Lord, whereas in chapter ii which could only have been composed after the third child was born, we learn that Gomer has been faithless to her husband, but will yet return to him. Chapter i says nothing about a period of isolation and discipline, but suggests that Hosea became the father of a child by Gomer without delay after his marriage. To interpose the period of delay from chapter iii into the account of chapter i means that Gomer's relations with Hosea could scarcely symbolize how Israel would return to the Lord. Unless the woman of chapter iii was Hosea's rightful wife, who after discipline would return to loyalty to him, it is hard to see how she could symbolize Israel's return in loyalty to her rightful God after a period of discipline. It is to be observed that in chapter ii. there is a prophecy of Gomer's return to her first husband, with whom it was better for her.¹ Who was this first husband? The view that we are examining accepts the statement of iii 1 that Gomer was an adulteress before Hosea bought her,² and some of its advocates believe that after her adultery she had become a temple prostitute³—a view to which we shall return—and that after her marriage with Hosea she was once more unfaithful to her husband.⁴ If this is true, then her first husband was not Hosea, and it was not he and Gomer who symbolized God's

¹ Hos. ii. 9 (E.V. 7).

² Cf. T. H. Robinson, loc. cit. p. 310.

³ So T. H. Robinson, ibid. p. 311, following H. Schmidt, *Z.A.W.* xlvi (1924), 245-72.

⁴ Cf. T. H. Robinson, loc. cit. p. 310.

relations with Israel, but the unnamed first husband and Gomer.¹ It would be curious for the unnamed first husband of this theory, who is so casually referred to in iii 1 and then forgotten or ignored, to be the symbolical representative of God in the story.

Again, if the period of discipline following Gomer's marriage to Hosea represented the discipline which should be terminated by Israel's return to God,² it is not clear why chapter ii. should speak of another period of discipline, subsequent to Gomer's disloyalty to Hosea, as representing God's discipline of Israel, which should be terminated in her return to Him in loyalty.³ If chapter iii is concerned with Hosea's marriage with Gomer, it would seem necessary to integrate it into the account which can be pieced together from chapters i and ii at a much later time than the prophet's first relations with her. Hence I find it difficult to accept this view of the problem.

By many writers Gomer is defended from all charge of adultery.⁴ This view would seem to have some formidable difficulties to negotiate. For at the beginning of chapter i we read that the prophet was bidden to marry a "wife of whoredom", and at the beginning of chapter iii that he was bidden to love a woman who was an adulteress. Assuming for the moment that both refer to the same woman, though not necessarily to the same point in her life, it would seem to be clearly indicated that

¹ Cf. H. Wheeler Robinson, *Two Hebrew Prophets* (1948), p. 15 : "It (i.e. this theory) throws the emphasis of the prophet on the reclamation of a woman who has not been faithless to *him*, instead of on that of a faithless wife who has borne at least one child of which he is the father."

² Hos. iii. 5.

³ Hos. ii. 19-23 (Heb. 21-25).

⁴ Amongst those who defend Gomer's good name may be mentioned : W. Staerk, *Das assyrische Weltreich im Urteil der Propheten* (1908), pp. 193 f.; G. Hölscher, *Die Propheten* (1914), pp. 424 f.; W. R. Arnold, *Ephod and Ark* (1917), p. 126 n.; D. Buzy, *R.B.*, N.S. xiv (1917), 376-423; J. Fück, *Z.A.W.* xxxix (1921), 283-90; A. Heermann, *Z.A.W.* xl (1922), 287-312; P. Humbert, *R.H.P.R.* i (1921), 97-118; L. W. Batten, *J.B.L.* xlviii (1929), 257-73; R. H. Pfeiffer, op. cit. pp. 567 ff.; J. Coppens, *Alttestamentliche Studien* (Nötscher Festschrift, B.B.B. No. 1) (1950), pp. 38-45. E. Sellin, *Introduction to the Old Testament*, English trans. by W. Montgomery from 3rd German edn. (1923), p. 159 (cf. *Das Zwölfsprophetenbuch* (K.A.T.) (1929), p. 31), says : "Of the adultery and dismissal of Gomer we do not in fact hear a word." This view he later abandoned; cf. *Einleitung in das Alte Testament*, 7th edn. (1935), pp. 103 f.

she was of loose character. To many writers it is unthinkable that the prophet should be commanded to marry such a woman,¹ and they therefore seek to explain the language away. It has been suggested that she is described as a wife of whoredom because she was a northern Israelite, and not because she was personally unchaste.² If that were so, the prophet should have found similarly opprobrious language with which to refer to himself, since he too appears to have been a northern Israelite.³ Alternatively, a distinction is drawn between the expression “a wife of whoredom” (*אֲשֶׁת נָגָנִים*) and the normal term for a harlot (*זָנוֹה*), and it is argued that as Isaiah could speak of himself as “a man of unclean lips” because he dwelt among “a people of unclean lips”,⁴ and not because he was himself impure, so Gomer could be described as “a wife of whoredom” because

¹ Cf. A. B. Davidson, in Hastings's *D.B.* ii (1899), 421 b : “It has been supposed that Hosea allied himself with a woman already known as a sinner, with the view of reclaiming her. It is very difficult to believe either that the prophet should do such a thing, or that he should represent himself as commanded by God to do it.” If Gomer subsequently became an adulteress and unchaste, it is hard to suppose that God did not know that she was a woman of such a character, and no easier to see how He could command marriage with a woman who would prove unfaithful than with one who was already immoral. E. Day, *A.J.S.L.* xxvi (1909-10), 105-32, held that the whole book of Hosea is an exilic pseudepigraph. He thinks it improbable that Hosea would have attributed to God such a command to marry an unchaste woman, but supposes it easier to think of a late author imaginatively picturing his prophet as having been so commanded (p. 111). It is not clear why this is more understandable in the exilic period than in the eighth century.

² Cf. R. H. Pfeiffer, *Introduction to the Old Testament* (1941), p. 569. This view, found in several older writers, is rejected by W. R. Harper, *Amos and Hosea* (I.C.C.) (1910), 207.

³ I. Engnell, *S.B.U.* i (1948), 874 f., holds that he was a man of Judah, and so N. H. Tur-Sinai, op. cit. ii (1950), 306 ff. This view was advanced already by F. J. V. D. Maurer, *Commentarius grammaticus criticus in Vetus Testamentum*, ii (1838), 293. G. Hölscher, *Die Propheten* (1914), pp. 205 f., and *Geschichte der israelitischen und jüdischen Religion* (1922), p. 105, thought he was a Benjaminite, and according to V. Ryssel, *J.E.* vi (1907), 473 b, this view was put forward in the fifteenth century by the Spanish Jew Abraham ben Samuel Zacuto. There are no adequate grounds for this, or for various early Christian and Jewish traditions, which Ryssel records. H. Ewald, op. cit. i. 211 ff., while holding that Hosea was a northerner, believed that he retired to Judah, where he composed his book. There is no evidence at all that Hosea compiled the book that bears his name. P. Haupt, *J.B.L.* xxxiv (1915), 182 f., maintained that Hosea was from Ibleam.

⁴ Isa. vi. 5.

she dwelt among a people who "went a-whoring" from God, and not because she was personally unchaste.¹ Here the alleged parallel offers no support. For it is clear that in the presence of God Isaiah felt himself to be impure, and it was by the touch of the live coal from the altar that his sin was taken away and he was cleansed. He still lived among "a people of unclean lips", and if that was a sufficient reason for describing him as "a man of unclean lips", the position was unchanged.

If it is desired to save Gomer from the charge of in chastity, another way would seem to be more promising. This is found in regarding the description of her as proleptic—a way which has been followed by many writers of various schools.² On this view Hosea married a woman who was pure, or whom, at any rate, he believed to be pure, though subsequently she turned to evil. This, however, only spares her character in the pre-marital stage. On this view, when subsequent experience revealed the true character of Gomer and from his bitter pain—the more bitter because of his unquenchable love for her—Hosea gained a new insight into the heart of God, he looked back and believed that all had been overruled by God, and so he could in retrospect represent it as though he had been bidden to marry a woman with an evil character. Though unknown to him at the time, she had had a tendency to evil rather than a sinful

¹ Cf. Gordis, loc. cit. pp. 14 f.

² So, amongst others, W. Nowack, *Die kleinen Propheten* (H.K.) (1897), p. 9; A. B. Davidson, in Hastings's *D.B.* ii (1899), 421; K. Marti, in *E.B.* ii (1901), 2123, and *Das Dodekapropheton* (K.H.C.) (1904), p. 16; V. Ryssel, loc. cit.; H. Guthe, op. cit. p. 3; W. R. Harper, op. cit. p. 207; W. Robertson Smith, *The Prophets of Israel* (1912 edn.), pp. 181 f.; C. F. Kent, *The Growth and Contents of the Old Testament* (1926), p. 111; G. A. Smith, *The Book of the Twelve Prophets*, revised edn. (1928), p. 248; H. Wheeler Robinson, in *The Abingdon Bible Commentary* (1929), p. 761, and *Two Hebrew Prophets* (1948), p. 13; S. Landman, in *U.J.E.* v (1941), 463; J. P. Hyatt, *Prophetic Religion* (1947), p. 42; J. Paterson, *The Goodly Fellowship of the Prophets* (1948), p. 44; J. A. Bewer, *The Book of the Twelve Prophets*, i (1949), 41; G. A. Hadjiantoniou and L. E. H. Stephens-Hodge, in *The New Bible Commentary* (1953), p. 683 a. *The Seventh-day Adventist Bible Commentary*, iv (1955), 888 b, thinks Hosea may have received a permissive command to marry someone he already loved, while J. M. Powis Smith, *B.W.*, N.S. xlii (1913), 100 b, thinks it unnecessary to suppose that he loved her. Some writers get rid of the difficulty of Hos. i. 2 by the familiar expedient of surgery, and delete the inconvenient words.

past.¹ But what of chapter iii? Here the prophet is bidden to take an adulteress, and the fact that he disciplines her before he takes her to himself clearly indicates that he knew that she was an adulteress. If this was prior to his first association with her, as in the view already examined, then the description of her as a "wife of whoredom" is not proleptic. If, on the other hand, it was at a later stage in their relations, we do not really avoid the difficulty. For in Hebrew thought it was no less loathsome to take back an adulterous wife than to marry a woman whose lapses were premarital. But to this we shall have to return.

By some Gomer is thought to have been a temple prostitute prior to her marriage with Hosea.² We have many references

¹ Against this view cf. J. M. Powis Smith, *B.W.*, N.S. xlvi (1913), 95 b.

² So, in addition to H. Schmidt and T. H. Robinson, above cited, O. R. Sellers, *A.J.S.L.* xli (1924-5), 245; H. G. May, *J.B.L.* lv (1936), 287; E. A. Leslie, *Old Testament Religion* (1936), p. 173; Smith-Irwin, *The Prophets and their Times*, 2nd edn. (1941), pp. 74 f.; R. B. Y. Scott, *The Relevance of the Prophets* (1944), p. 75; F. James, *Personalities of the Old Testament* (1947), p. 233; G. Fohrer, *Die symbolischen Handlungen der Propheten* (1953), p. 21; A. Gelin, in Robert-Tricot, *Initiation Biblique*, 3rd edn. (1954), p. 169. H. Wheeler Robinson, *Two Hebrew Prophets*, p. 14, thinks Gomer had become a temple prostitute when she was reclaimed by Hosea, as recorded in chapter iii and so E. Osty, *Amos et Osée* (Jerusalem Bible) (1952), p. 64. A. D. Tushingham, *J.N.E.S.* xii (1953), 150 ff., holds that the woman of chapter iii, whom he differentiates from Gomer, was a cultic prostitute. Following a suggestion of A. van Selms, *J.N.E.S.* ix (1950), 71 f., that the Hebrew מֶרֶע means a bridegroom's "best man", he takes עַר in Hos. iii. 1 to be a comparable term, but here to stand for the cultic deputy for the god in the sexual rites. He also holds that Gomer was a similar cultic woman, but one over whom Hosea did not have proper legal control (*ibid.* p. 157). On the other hand, J. P. Hyatt, op. cit. p. 41, rejects the view that Gomer was ever a sacred prostitute, and J. A. Bewer, op. cit. p. 37, thinks it questionable. H. G. May, *A.J.S.L.* xlvi (1931-2), 89 ff., finds very extensive traces of ritual prostitution in the Old Testament. He thinks the term מְאֹהָב, which is found in Hos. ii. 7 (Heb. 9), denotes a male sacred prostitute, and holds that the bands of the prophets were professional sacred prostitutes, while the priests are credited with a similar function. Even Hannah is held by him to have functioned as a sacred prostitute. All this seems to me to be going beyond the evidence. L. Waterman, *J.B.L.* xxxvii (1918), 199 ff., thinks Gomer was as religious as Hosea, but in a different way, and that she may have been regarded as a local saint. He thinks she took part in the sexual promiscuity at the religious festivals, but Hosea could bring no charge of adultery for this, and she may have assumed a martyr's attitude in response to his threats and reproaches. This view distinguishes her from a professional sacred prostitute, but brings her "whoredom" into association with the shrines.

to ritual prostitution in the Old Testament, though we are told little about the women who were devoted to a life of shame in the fertility cult of Baal.¹ That it was regarded as a life of shame by the common people is by no means certain. We have knowledge of similar classes of women in Babylonia, who were not without respect,² and it may well be that they were accorded respect in Israel.³ Nevertheless, it is certain that in the authentic faith of Israel ritual prostitution had no legitimate place, and it is hard to suppose that Hosea had anything but condemnation for the whole institution. In modern times Hosea has been psycho-analysed,⁴ and some explanation has been offered to show why he should feel led to do the thing he most loathed, and marry a woman who lived what he, at any rate, regarded as a life of shame, devoted to a cult and a practice which only called forth his unsparing condemnation.⁵ I do not find this satisfying, and I am persuaded that we must look deeper than psycho-analysis for the motives for Hosea's action. This does not of necessity rule out the possibility that Gomer was a temple

¹ A. D. Tushingham, loc. cit. p. 153 b, thinks three separate classes of sacred women are referred to in Hos. iii.

² Cf. B. Meissner, *Babylonien und Assyrien*, ii (1925), 70 f.; G. R. Driver and J. C. Miles, *The Babylonian Laws*, i (1952), 358 ff. (also *Iraq*, vi (1939), 66 ff.).

³ Mrs. B. P. Church, *The Private Lives of the Prophets* (1953), p. 78, makes the astonishing statement that in Israel every woman was required to prostitute herself once with a priest before marriage. This is without foundation. Herodotus, *History*, i. 199, says that every Babylonian woman was required so to act, but Driver and Miles, op. cit. pp. 360 f., think this rests on a misunderstanding, since there is no trace of it in extant Babylonian and Assyrian literature. As for Israel, H. Schmidt, *Z.A.W.* xlii (1924), 254 n., observes: "Dass aber im israelitischen Altertum dieser Brauch des Opfers der Jungfräulichkeit vor der Ehe nicht bestanden hat, zeigt z. B. Dtn 22₁₃₋₁₅ mit aller Deutlichkeit. Das israelitische Volk empfand auf diesem Gebiet viel strenger als die übrigen alten Semiten."

⁴ Cf. A. Allwohn, *Die Ehe des Propheten Hosea in psychoanalytischer Beleuchtung* (Beiheft zur *Z.A.W.*, No. 44) (1926), pp. 54 ff. Cf. also O. R. Sellers, *A.J.S.L.* xli (1924-5), 243-7.

⁵ Cf. Allwohn, op. cit. pp. 57 ff.; T. H. Robinson, *T.S.K.* loc. cit. pp. 304 f., and Oesterley-Robinson, *Introduction*, p. 350; A. Lods, *The Prophets and the Rise of Judaism*, English trans. by S. H. Hooke (1937), pp. 91 f. O. R. Sellers, loc. cit. p. 244, thought the prophet merely rationalized his physical attraction to Gomer. On the other hand, J. M. P. Smith, *B.W.*, N.S. xlvi (1913), 100, thinks it unnecessary to suppose that Hosea loved Gomer when he married her.

prostitute, though it seeks some other motive than an attraction to do the thing he most loathed when Hosea married her.

It has further been suggested, though there is no real evidence for this, that it may have been regarded as a specially meritorious thing to marry a woman of this class.¹ It is conceivable that amongst a people who practised ritual prostitution such women could be held in sufficient honour to make marriage with one of them a thing of which a man would not be ashamed, or even a meritorious thing. But it is hard to suppose that this appealed to Hosea, who hated ritual prostitution. If he was moved by any instinct that had no deeper source than his own heart, it would be more likely that he would feel it to be a meritorious thing to rescue a woman from such a life than that her past life in itself made her a desirable wife.² We are told, however, that it was by the direction of God that he married Gomer, and though this is found in the narrative recorded in the third person, it doubtless goes back to Hosea himself through his disciples.³ How far it is credible that God should really move a prophet to do this is a problem for theology, and not for us here. How far it is credible that a prophet should believe that God was moving him to such an act is a question to which we must return. But,

¹ Cf. T. H. Robinson, *T.S.K.* loc. cit. p. 311, and Oesterley-Robinson, op. cit. p. 350. There is evidence that in Babylonia such marriages did take place; cf. B. Meissner, *Babylonien und Assyrien*, i (1920), 400; Beatrice A. Brooks, *A.J.S.L.* xxxix (1922-3), 189-94. A. Bentzen, *Introduction to the Old Testament*, 2nd edn., ii (1952), 131, points out that Lev. xxi. 7 forbids such a marriage to an Israelite priest, and therefore implies that it was permissible to others. This passage more probably refers to an ordinary harlot than a ritual prostitute; it is relevant if Gomer were a harlot, but not a sacred prostitute.

² Cf. T. H. Robinson, *Prophecy and the Prophets*, p. 76. C. F. Keil, *The Twelve Minor Prophets*, English trans. by J. Martin, i (1868), 29 f., thought the children of whoredom were children whom Gomer had borne as a harlot before she married Hosea, and that God's command to him to rescue her was not at variance with His holiness. Against such a view E. W. Hengstenberg, *Christology of the Old Testament*, English trans. by T. Meyer, i (1858), 194, had already observed that it is self-evident that it was untenable. Recently A. D. Tushingham, *J.N.E.S.* xii (1953), 157 a, has revived the view that the "children of whoredom" were children born to Gomer before Hosea married her, and that she thereafter bore three more.

³ T. H. Robinson, op. cit. says that Hosea received this command when he was in an ecstatic state. Of this there is no evidence, save the theory that all oracles were received in that state.

as I have already indicated, this does not touch the questions with which we are concerned here. For whatever Gomer was at the time described in i 2, the woman referred to in iii 1, whether Gomer or another, was known to the prophet to be an adulteress before he took her into his home. And adultery was not regarded with less horror than sacred prostitution. A ritual prostitute could not be described as an adulteress in virtue of her profession,¹ of course, since in Israelite law there could be no adultery except where a married woman was concerned. The woman of chapter iii—again, I observe, whether she was Gomer or another—could not be called an adulteress merely because she was the paramour of more than one man, but only because she had been faithless to her marriage bond.

A more thorough-going attempt to save the character of Gomer is made by those who hold that the entire story is allegorical,² and not historical. Many years ago C. H. Toy argued that chapters i-iii consist of “a mass of separate prophetic productions, originating in different periods, and put together, as was the manner of scribes, by a late editor who made no vigorous attempt at coherency”, and that these chapters have nothing to do with the rest of the book.³ The separate parts of these chapters he held to be symbolical and to rest on no real marriage of Hosea. More recently, in a different way, Y. Kaufmann has advocated the view that chapters i-iii have nothing to do with the rest of the book, but come from the hand of a prophet who lived in the time of Jehoram, the son of Ahab,

¹ Married women may, indeed, have acted as sacred prostitutes on occasion. Cf. H. G. May, *J.B.L.* Iv (1936), p. 287, where there is a reference to Prov. vii. 20 ff. In that passage a married woman is represented as invoking the name of religion to cover her adultery.

² This was formerly the normal interpretation of the story. Amongst modern authors who continue to adopt it may be mentioned: A. van Hoonacker, *Les douze petits prophètes* (E.B.) (1908), pp. 38 f.; A. Calès, in *The Catholic Encyclopedia*, xi (1911), 337; H. Gressmann, in *S.A.T.* ii, i (1910), 362 f.; A. Regnier, *R.B.* xxxii (1923), 390 ff.; H. Gunkel, in *R.G.G.*, 2nd edn., ii (1928), 2022; H. Hirschfeld, *J.A.O.S.* xlvi (1948), 276 f.; E. J. Young, *An Introduction to the Old Testament* (1949), p. 246; D. Deden, op. cit. pp. 12 ff.

³ Cf. *J.B.L.* xxxii (1913), 77. P. Humbert, *R.H.R.* lxxvii (1918), 163 f., similarly held that there was no unity in these chapters. Against this view cf. A. Regnier, *R.B.* xxxii (1923), 390-7.

853-842 B.C., quite different from the Hosea of the rest of the book.¹ He finds in chapters i-iii a "prophetic-dramatic allegory", which is unconcerned with the ethical state of Israel so prominent in the rest of the book,² and supposes the "wife of whoredom" i of 2 to mean merely that Gomer wore the clothes appropriate to a harlot,³ while the woman of chapter iii he differentiates from Gomer.⁴ Others go along different lines, but nevertheless resolve the marriage of Hosea into an allegory, or even a dream,⁵ without real counterpart in the actual experience of the prophet. The reputation of Gomer is saved by dissolving her into thin air and dismissing her from the story.

It is improbable that the splitting of the book into two separate works will find much following,⁶ but the view that the marriage of Hosea is pure allegory and not history does not fall with that hypothesis. It cannot be ruled out off-hand that the prophet presented an imaginary story of his marriage as a parable on which to base his message. Isaiah told the parable of the vineyard,⁷ but it is not necessary to suppose that it was an actual account of a historical incident. Similarly, it is conceivable that Hosea could have told an imaginary story of his marriage, with the sole purpose of leading up to his message. On this view all that was real was Israel's defection from God, which is so often described in the Old Testament by the terms fornication and adultery.

There are many difficulties in the way of this view, however. In the first place, it has often been pointed out that Gomer's name does not appear to be symbolical,⁸ and it is more likely

¹ Op. cit. III, i. 93 ff. Kaufmann bases his view on the fact that the literary form is different in i-iii and iv-xiv, while Gomer and her children do not figure in the latter. This is not convincing. For Isaiah's sons do not figure after their mention, and Isa. v. 1 ff. is without parallel in the book of Isaiah without forfeiting its claim to be regarded as Isaianic.

² Ibid. p. 102.

³ Ibid. pp. 102 f.

⁴ Ibid. p. 102.

⁵ This view is found in many older writers, but is rarely found today. Cf. however, J. Pedersen, *Israel III-IV* (1940), p. 112.

⁶ It is rejected by Gordis, loc. cit. pp. 9 f. n.

⁷ Isa. v. 1 ff.

⁸ Marti observes that on the name of Gomer "all the allegorists, from the Targum, Jerome and Ephrem Syrus downwards, have spent their arts in vain, whereas the true symbolical names in the book are perfectly easy of interpretation" (E.B., loc. cit. col. 2123).

that she was a real woman. Van Hoonacker held that some name was given to her to give verisimilitude to the allegory,¹ and suggested that it might have had a significance which the prophet's hearers would divine.² If the name had any symbolical significance we should have expected it to be indicated, as is done with the other symbolisms in the narrative. Further, if the name Gomer was not the actual name of Hosea's wife, then no verisimilitude would be given to the story; while if her name was Gomer, and yet the story was baseless in fact, a gratuitous reflection was cast on her.³ Again, we have curious details on which no symbolical meaning is built, such as the fact that the second child of Gomer was a daughter, and that it was after she was weaned that the third child was conceived. Here again Van Hoonacker argued that they were just to give verisimilitude,⁴ though this is rather to explain them away than to explain them.

¹ Op. cit. p. 15. So also Regnier, loc. cit. pp. 391 f.

² Loc. cit. Van Hoonacker records some of the many suggestions that have been made. Several writers have connected the name Gomer with the Hebrew root indicating *perfection*. H. Hirschfeld, *J.A.O.S.* xlviii (1928), 276 f., thought it meant *burning passion*. B. D. Eerdmans, *The Religion of Israel* (1947), p. 152, thought bath-Diblaim meant that she gave herself for two clumps of figs (cf. E. Nestle, *Z.A.W.* xxiii (1903), 346, xxix (1909), 233 f., and W. Baumgartner, ibid. xxxiii (1913), 78), and Powis Smith, *B.W.*, N.S. xlvi (1913), 97 f. (cf. *The Prophets and their Times* (1925), p. 58) similarly thought it meant that she was in low esteem. So also P. Haupt, *J.B.L.* xxxiv (1915), 44, supposed that it signified that she was worth two figs, while Tur-Sinai, op. cit. ii. 316, thought the name meant "coal", and was a symbol of prostitution (cf. Prov. vi. 27-29). A. Lods, *Histoire de la littérature hébraïque et juive* (1950), p. 244, observed of the efforts to find a symbolic meaning for her name: "Il faut avouer que c'est bien tiré par les cheveux." H. S. Nyberg, *Hoseaboken* (1941), p. 33, thought bath-Diblaim indicated that she was from Diblathaim in Moab, and that she was therefore a Moabitess, and in this he is followed by I. Engnell, *S.B.U.* i (1948), 878. For other suggestions cf. E. Sellin, *Das Zwölfprophetenbuch* (K.A.T.) (1929), p. 27.

³ G. L. Robinson, *The Twelve Minor Prophets*, 1952 edn., p. 20, says that if these chapters "are to be taken as figurative or allegorical only, such an interpretation would reflect upon the prophet's actual wife, if he were married; or, upon the prophet himself, if unmarried". P. Humbert, *R.H.R.* lxxvii (1918), 158, observes: "Il se serait rendu ridicule en se faisant le héros fictif d'une histoire d'adultère tandis qu'il vivait heureux en ménage."

⁴ Op. cit. pp. 17 f. E. W. Hengstenberg, *Christology of the Old Testament*, English trans. by T. Meyer, 2nd edn., i (1858), 203 f., thought the reason why the second child was represented as a daughter was to emphasize the contrast with the name, since a daughter might be expected to excite more pity.

Far more damaging, in my view, is the fact that it is said that it was by the word of the Lord that Hosea married Gomer. The prophets did not lightly bandy the word of the Lord about, and if all that was meant was that the Lord commanded Hosea to speak a parable, it is improbable that more than this would have been said. It is true that there were prophets who lightly used the name of the Lord to authenticate their oracles, but they stand condemned in the Bible, and it is improbable that Hosea was such a prophet. When he said that the Lord moved him to marry Gomer, it is more likely that he did feel so moved and did so marry her than that he meant that it was all in imagination.¹

Again, if Gomer throughout merely stands for Israel and not also for a real woman, it is hard to see why she should be called a harlot prior to her marriage, or why she should be spoken of as forsaking the Lord before she had become His people.² The assumption already referred to, that it was in retrospect that the prophet perceived Gomer's infidelity, might have some relevance if the marriage were a real one—though, as will be seen later, I do not share this view—but it could have no relevance on the allegorical view. For Israel could not be said to have forsaken the Lord before His marriage with her. Moreover, the name of

¹ Cf. L. Gautier, op. cit. i. 464 : "Une autre objection . . . contre le système allégorique, c'est que le prophète n'aurait rencontré aucune créance en racontant à ses auditeurs des aventures purement imaginaires ; il aurait affaibli ou même anéanti la portée de la leçon qu'il voulait leur donner. Si l'on admet, au contraire, qu' Osée relate ses douloureuses expériences personnelles, qu'il prêche pour ainsi dire d'exemple en pardonnant finalement à l'épouse coupable, sa prédication prend quelque chose de vécu et de tragique, et l'impression qui s'en dégage est saisissante." L. Fillion, in Vigouroux's *D.B.* iv (1908), 1910 : "Pour que la narration orale des faits par Osée fût capable d'impressionner la foule, il fallait qu'ils correspondent à la réalité historique, et on ne conçoit pas que le prophète se soit mis en scène comme un homme soumis à la plus rude épreuve domestique, si la conduite de sa femme avait toujours été honorable." Similarly C. von Orelli, *The Twelve Minor Prophets*, English trans. by J. S. Banks (1893), p. 22 : "It is quite inconceivable that the prophet should have related such things if his married life was happy, if his partner was a thoroughly honourable housewife." (According to A. Æschimann, *Dictionnaire Encyclopédique de la Bible* (ed. by A. Westphal), ii. 257 a, Gautier later tempered his objections to the allegorical view. He says : "Après avoir critiqué vigoureusement (dans son *Introduction*) l'interprétation allégorique, le professeur Lucien Gautier ne craignait pas d'avouer, sur la fin de sa vie, que de graves hésitations lui étaient venues à ce sujet.")

² Hos. i. 2.

the first child, Jezreel, and all that was symbolized by that name, was concerned with the house of Jehu, which had ruled for less than a century, rather than with Israel's relations with God from the wilderness days, when Israel became His bride.

A different way of saving Gomer's reputation is followed by those who hold that chapter i is historical, while chapter iii is allegorical.¹ Even without chapter iii. it seems to me difficult to avoid the recognition of her infidelity, but to that we shall return. Here I would content myself with saying that there seems no more reason to deny the historical character of chapter iii than that of chapter i. The curious fact that in chapter iii we are told the exact price the prophet paid for the woman he is there said to have taken into his home, where no symbolical use is made of the price in the sequel, argues as strongly against the merely allegorical interpretation of this chapter as the name of Gomer argues against the allegorical interpretation of chapter i. For here it does not seem remotely apt to suggest that the price was named in order to give verisimilitude. The price was fifteen shekels of silver, and a homer and a half of barley.² A homer and a half of barley contained forty-five seahs. From 2 Kings vii. 1, 16 we learn that when Samaria was relieved from the rigours of famine by the withdrawal of the besieging Aramaeans and the despoiling of the Aramaean camp, the price of barley was two seahs for a shekel. If it be assumed that this was higher than the normal price, and that ordinarily barley may have been sold at three seahs for a shekel, the value of the barley may have been another fifteen shekels of silver, and the total price paid by Hosea may have been equivalent to thirty shekels,³

¹ So P. Volz, *Z.W.Th.* xli (1898), 321-35; K. Marti, op. cit. pp. 33 f.; P. Humbert, *R.H.R.* lxxvii (1918), p. 170, and *R.H.P.R.* i (1921), 100; H. Guthe, op. cit. ii. 6 f. P. Haupt, *J.B.L.* xxxiv (1915), 42, dismisses chapter iii. as secondary, and similarly L. W. Batten, *J.B.L.* xlvi (1929), 271 ff. holds that this chapter is of later origin, and that there is nothing to connect either Hosea or Gomer with it, its whole message being other than his.

² Hos. iii. 2. The LXX says "a homer of barley and a skin of wine", instead of "a homer and a half of barley". Though some editors have preferred this, Harper, op. cit. p. 219, rejects it, and H. S. Nyberg, *Studien zum Hoseabuche* (1935), p. 23, observes that the reading of M.T. is not inferior to LXX.

³ So many writers; most recently Gordis, loc. cit. p. 26 n.

which was the price at which a slave was valued.¹ But surely this is a most unnatural way of indicating a price; besides the highly conjectural nature of the calculation,² and an allegorist who intended to make no use of its curious details might have been expected to say simply that Hosea bought the woman for thirty shekels of silver.³ Both chapter i and chapter iii would seem to stand or fall together as historical or allegorical, and in my judgement the historical view is the better grounded.

Some have accepted both chapters as historical, but have held that the woman of chapter iii was not Gomer at all, but another woman.⁴ What had happened to Gomer we must not ask. Here, it is believed, we have the account of a second marriage. In favour of this view is the fact that Gomer is not named in chapter iii and the prophet is told to love "a woman" who was an adulteress. It must be agreed that this is a strange way to refer to her if she was already the prophet's wife. The view

¹ Exod. xxi. 32.

² Cf. van Hoonacker, op. cit. p. 34, and D. Buzy, *R.B.* xiv (1917), 416.

³ J. A. Bewer, *A.J.S.L.* xxii (1905-6), 124 n., regards the payment as a *mohar*, and notes that the equation of the sum paid with the price of a slave has a parallel in the Code of Hammurabi, where the price of a slave, as defined in § 252, is the same as the value of a marriage settlement for a woman of the poorer classes, as defined in § 140. Buzy also, loc. cit. p. 442, thinks the price was a *mohar*. It is by no means certain, however, that this was so, and H. Schmidt, loc. cit. p. 264, denies that it was a bride price. Similarly W. R. Harper, op. cit. p. 219, thinks the passage is easier to understand if it referred to the purchase price of a slave than if it referred to a *mohar*.

⁴ The view that chapter iii has nothing to do with Gomer has been common, both with writers of the allegorical school and with some of those who understand the passages literally. So amongst others, S. Davidson, *An Introduction to the Old Testament*, iii (1863), 237; C. F. Keil, op. cit. i, 31 f.; C. von Orelli, *The Twelve Minor Prophets*, English trans. by J. S. Banks (1893), p. 19; C. H. Toy, *J.B.L.* xxxii (1913), 77; G. Hölscher, *Die Propheten* (1914), p. 427; W. R. Arnold, *Ephod and Ark* (1917), p. 126 n.; D. Buzy, *R.B.* loc. cit. p. 442; P. Humbert, *R.H.R.* lxxvii (1918), 170; H. Hirschfeld, *J.A.O.S.* xlvi (1928), 276 f.; Smith-Irwin, *The Prophets and their Times*, 2nd edn. (1941), 74; R. H. Pfeiffer, op. cit. pp. 568 f.; H. S. Nyberg, *Hoseaboken* (1941), p. 38; B. D. Eerdmans, *The Religion of Israel* (1947), pp. 152 f.; Y. Kaufmann, op. cit. iii. i. 100 f.; A. D. Tushingham, *J.N.E.S.* xii (1953), 156 a. M. Haller, *R.G.G.* iii (1913), 143, was uncertain whether two marriages or one were intended, while N. H. Snaith, *Mercy and Sacrifice* (1953), pp. 31 f., is undecided whether chapter iii refers to a second marriage of Hosea's, or whether it is a later composition unrelated to Hosea.

that chapter i and chapter iii are parallel accounts of the marriage of Hosea taken from different sources is not embarrassed here, since on that view Gomer was not already the prophet's wife and this is the introduction to the story in this account. As has been said, however, it is other difficulties which stand in the way of that view. The main difficulty which stands in the way of the view that chapter iii concerns a different woman is that in that case both of these women, Gomer and the other, symbolize the wayward people of God. The interpretation of the two marriages speaks strongly for the identification of the wife of the one with the wife of the other. It cannot be supposed that the prophet wished to say that God betrothed Israel to Himself, but when she turned from Him He turned to find another bride.¹ Surely it is clear, and the interpretation makes it quite explicit, that Israel is symbolized by the bride in both cases.² In both it is indubitable that the bride is represented as an unfaithful and adulterous woman, and in both we find a message of Israel's ultimate return to the Lord, which could only be symbolized by the final return of the bride to faithfulness.³ There is surely

¹ Nyberg, loc. cit. p. 38, says the two marriages illustrate the breach with El Elyon and Yahweh. This does not seem to be possible. Nyberg holds that the women of chapter i and chapter iii were different (see preceding note), but here he would seem to find that the husbands represented different deities. Both chapters are specifically related to Yahweh in the present text, and there is no reason to emend it in this respect.

² Cf. Hos. i. 2 (where "the land" is clearly the land of Israel; cf. 4, 6), iii. 1.

³ Hos. i. 11 (Heb. ii. 2). Gordis, loc. cit. p. 20 n., would follow a number of scholars who transfer the verses at the end of chapter i (beginning of chapter ii in Hebrew) to the end of chapter ii. Wellhausen, *Die Kleinen Propheten*, 3rd edn. (1898), p. 99, had earlier rejected this view on the ground that they would be superfluous there, and instead excised the verses as spurious. So, also, G. Hölscher, *Geschichte der israelitischen-jüdischen Religion* (1922), p. 106, and H. G. May, *J.B.L.* lv (1936), 285, both of whom also delete the last ten verses of chapter ii (against this cf. P. Humbert, in *Vom Alten Testament* (Marti Festschrift), ed. by K. Budde (Beiheft zur Z.A.W. No. 41) (1925), pp. 158 ff., where the unity of Hos. ii. 2-20 (Heb. 4-22) is maintained). Marti, op. cit. pp. 9 f., rejected all hopeful passages in Hosea as due to interpolation, but F. James rightly declares this to be arbitrary (*Personalities in the Old Testament* (1947), p. 229). Sellin, *Das Zwölfprophetenbuch* (K.A.T.) (1929), pp. 45, 49, transfers i. 10-ii. 1 (Heb. ii. 1-3) to follow chapter iii. and so D. Deden, op. cit. pp. 36 f. These verses may have been taken, like chapter ii, from a separate

no need to find two marriages here, and the hypothesis seems to me to be entirely without foundation.¹

Even if chapter iii is excluded from the consideration of Hosea's marriage to Gomer, we should not be left without difficulties. Gomer is then held to have been a pure woman, whom the prophet married, and who bore him children in faithful wedlock. The description of her as a "wife of whoredom" is held to reflect not on her personal character, but to be due solely to the fact that she represents unfaithful Israel. The actor who is given the part of Iago need not himself be a bad man. Then, on this view, when Gomer successfully bore the prophet children, he gave them symbolical names, which became the texts of his messages to Israel and which in no way reflected his domestic circumstances. If chapter i is studied by itself, there is little difficulty about this view. It is agreed by all that Jezreel was the child of Hosea, since it is explicitly said that Gomer bore this child to him. It may be without significance that "to him" is omitted in the case of the other children, and Lo-ruhamah and Lo-ammi could just as easily be the texts of messages to Israel without reflecting disloyal relations between Gomer and Hosea as Jezreel could be, and no connection with the personal history of the prophet be found here. All this may be granted. It is chapter ii, however, which stands most obstinately in the source, and may have been uttered on a separate occasion. Nevertheless chapter i is their background, and I see no reason to deny them to Hosea. It is surely significant that each of the three chapters ends on the same note. In chapter iii it cannot be eliminated, save by the desperate expedient of eliminating the whole chapter. It would seem to be wiser to find in the presence of this note at the end of all three chapters evidence that this belonged to the authentic message of Hosea. If we first excise what we do not like, it is not convincing to be told that after the excision no trace of it is left. J. Coppens, *Alttestamentliche Studien* (Nötscher Festschrift, B.B.B. No. 1), 1950, p. 42, deletes i. 10-ii. 1 (Heb. ii. 1-3), ii. 14-23 (Heb. 16-25) and iii. 5, in the interests of his theory that chapter iii. records how Hosea staged an action for divorce against his wife, but then made a volte-face in the middle of the proceedings. This does not seem a natural interpretation of the chapter, and the necessity to deal violently with the text is a serious weakness.

¹ Nowack, op. cit. p. 25, notes that if chapter iii concerned another woman it would really be irrelevant, and L. Fillion, loc. cit. col. 1912, observed that to be perfect the symbolism required that it should be the same woman. Cf. also B. W. Anderson, *Interpretation*, viii (1954), 297, where it is concluded that chapter iii is "theologically inseparable from the story of Gomer-Israel".

way of this view, and it would be necessary not merely to isolate chapter i from chapter iii, but also from chapter ii, which is most intimately connected with what goes before. Here we find plays on the names of the children recurring, in a way that could not be understood without chapter i. Moreover, here Gomer's children are declared to be the children of harlotry,¹ and she is said to have gone after her lovers.² It is undoubted that in chapter ii. the interpretation of the symbolism in terms of Israel's experience in relation to God is intermingled with the prophet's words about Gomer, because Israel appears to be in his mind throughout alongside Gomer ;³ but it is hard to exclude Gomer altogether from this chapter, and most natural to find the references to her dissolving into the references to Israel. Unless Hosea's relations with Gomer had significant points of contact with, and similarity to, God's relations with Israel, there was no symbolism in the marriage. For the above mentioned case of an actor playing the part of a villain is no real parallel. However fine the actor's own character may be, he pretends to be the villain ; and if Gomer were but playing the part of unfaithful Israel, she would at least have to pretend to be unfaithful. Those who seek to save her character do not suggest that she pretended to be unfaithful—of this there is no suggestion whatever—but rob the marriage of any symbolic relevance to that which it is declared to symbolize.⁴

If both chapter i and chapter iii are historical, and both are concerned with Gomer, it is even more difficult to save her character. For here it is said that she was an adulteress, bought for the price of a slave,⁵ and isolated for a period of probation and purification before being given the status of a wife. It would be carrying prophetic symbolism far to treat a pure woman as an adulteress in order to make her the text of a message which had no relation to her.

Rabbi Gordis, to whom reference has already been made, has

¹ Hos. ii. 4 (Heb. 6).

² Hos. ii. 7 (Heb. 9).

³ Cf. J. A. Bewer, *The Book of the Twelve Prophets*, i (1949), 38 : "The story in ch. 2 is a fusion of Hosea's and the Lord's experiences."

⁴ Cf. Oesterley-Robinson, op. cit. p. 351 : "It is difficult to understand Hosea's message and teaching except on the theory that she (i.e. Gomer) was false to him."

⁵ Cf. *supra*.

recently put forward the view that chapter i and chapter iii both tell the story of Hosea's marriage with Gomer, but that the facts were differently interpreted because the two chapters come from different periods in the ministry of Hosea.¹ On this view, at one point in his career he interpreted its symbolism in terms of judgement, but later he looked back over the marriage of long ago and saw in it a symbol of the discipline that should lead to restoration. We are here back at the difficulty already noted above, that if chapter iii tells the story of Hosea's first association with Gomer, then she is described as already an adulteress before she became his wife. She had therefore been the wife of another husband, and the looked-for return to her first husband could not have been to Hosea. Further, we are entitled to ask whether on this view Hosea had really kept his wife under discipline for a time after he first married her, and, if so, whether he is supposed to have given this no symbolic significance until years after. In view of the fact that in both accounts the important thing is the symbolic significance, it is scarcely likely that Hosea attached no symbolic significance to the discipline until years after. Moreover, at the end of chapter i² we have a promise of restoration, when Jezreel shall symbolize the gathering together of Israel, and instead of being declared not the people of God they shall be called the sons of the living God.³ This is precisely the same note that we find at the end of chapter iii, with which it is clearly to be connected. Is this also to be referred to the later period in Hosea's life, when he looked back over the events of long ago? There would be no difficulty about this, were it not for chapter ii.⁴ For here we find a reference to Gomer's infidelity to Hosea, followed by a threat of

¹ Loc. cit. pp. 30 f. He holds that the first interpretation dates from before 743 B.C., while the other comes from twenty years later.

² It has been noted above that several writers hold these verses to be out of place, and transfer them to the end of chapter ii. So L. Gautier, *Introduction à l'Ancien Testament*, 3rd edn. i (1939), 463 n., where reference is made to Rom. ix. 25 f. In that passage the end of chapter ii is cited before the end of chapter i. This can hardly be held to be evidence that the verses stood in this order in Paul's text.

³ Hos. i. 10 (Heb. ii. 1).

⁴ It will be seen below that I recognize the message of restoration to be one which Hosea reached later in his life, but rather through his developing experience than merely through reflection on past events which he reinterpreted.

punishment and suffering for her, until she wishes to return to her husband. It is clear that Gomer here represents Israel, and the chapter ends with the promise of Israel's betrothal to God in faithfulness. Again, then, we have the same note as at the end of chapter iii. Is it supposed that as Hosea looked back over his life, he represented the immediately post-nuptial discipline as representing the discipline of Israel that should lead to restoration, and also the bitter experience of Gomer at a later stage in her career, after she had been unfaithful to Hosea, as representing precisely the same thing, despite the fact that *ex hypothesi* he had learned by experience that the immediately post-nuptial discipline had had no effect?

We may therefore turn from these varying views to that which has long commanded more support than any of them, and whose chief fault, as Wheeler Robinson observes, is that it has lost the charm of novelty.¹ This is the view that both chapters are historical, and that both concern the same woman, but that the one is not a variant repetition of the other. We have then to ask what is their relation to one another. Not a few scholars have held that chapter iii is the sequel to chapter i and this seems to me to be the most satisfactory view.² Sellin and Budde believed that both were once contained in a single account, written in the first person, and that the compiler threw part of it into the third person.³ That is a conjecture which, in the

¹ Cf. *Two Hebrew Prophets*, p. 17.

² This view is most familiar to English readers in the work of George Adam Smith, *The Book of the Twelve Prophets*, revised edn. i (1928), 241 ff. It was found in H. Ewald, op. cit. i. 223 ff.; J. Wellhausen, op. cit. p. 104; W. R. Smith, *The Prophets of Israel* (1912 edn.), pp. 178 ff. In recent years it has appeared in P. Cruveilhier, *R.B.*, N.S. xiii (1916), 342-62; K. Budde, *T.S.K.* xcvi-xcvii (1925), 1-89; E. Sellin, *Das Zwölfprophetenbuch* (K.A.T.) (1929), p. 46; E. A. Leslie, op. cit. pp. 174 f.; S. L. Caiger, *Lives of the Prophets* (1936), pp. 40 ff.; J. P. Hyatt, op. cit. p. 42; F. James, op. cit. pp. 229 f.; H. Wheeler Robinson, *B.Q.*, N.S. v (1930-1), 304-13, and *Two Hebrew Prophets*, pp. 16 f.; F. Nötzcher, *Zwölfprophetenbuch* (Echter Bib.) (1948), p. 12; A. Weiser, *Einleitung in das Alte Testament*, 2nd edn. (1949), p. 175 and *Das Buch der zwölf Kleinen Propheten* (A. T. Deutsch), i (1949), 24; E. Osty, *Amos et Osée* (*Jerusalem Bille*) (1952), pp. 64 f.; F. Buck, *Die Liebe Gottes beim Propheten Osée* (1953), p. 12 n.

³ Cf. Sellin, *Einleitung in das Alte Testament*, 7th edn. (1935), p. 103 (English trans. by W. Montgomery from 3rd German edn. (1923), p. 160); K. Budde, *T.S.K.*, loc. cit. pp. 7 f.

nature of the case, is unsupported by evidence, though it must be agreed that it would be very strange if one part of the story stood in a biography of the prophet and the other part stood by itself in an autobiography. We need not stay to examine Sellin's attempt to rearrange the verses in a new sequence that is entirely subjective.¹ We may be content to recognize that if the two accounts are taken from separate sources, it is possible that the biographical account was fuller than the other for part of the story, even though the autobiographical, in its now lost state, may not have been without reference to it. Indeed, if chapter iii. contains the sequel to chapter i in the prophet's experience, it is hard to see how Hosea could have related the sequel without mention of what went before it. It may be that only the autobiographical account contained the sequel, though, as has been said, the other account was not without some promise of it.

If, now, we treat the one as the sequel to the other, let us see how far a consistent story results, and how far the message of the prophet is related to the essential conception of God as reflected in his teaching. On this view the prophet was commanded to marry a woman whom he knew to have an evil past, and who bore children to whom he gave symbolic names. These names became in turn the texts on which he based his utterances of denunciation of the house of Jehu, and of the coming judgment of God upon Israel, who were no longer loyal to Him or rightly to be called His people. It is only chapter ii. that shows that Gomer was an adulteress, and that two of her children were not really Hosea's. The same chapter makes it apparent that Gomer left Hosea and went after her lovers,² who, however, failed her so that she longed for her husband once more, as the Prodigal Son longed for home when he found how delusive were the hopes inspired by the far country. In chapter iii we find that she has fallen into slavery, so that when Hosea finds her he has to buy her back to himself.³ He buys her back because he

¹ Op. cit., English trans., p. 160.

² It is not clear whether she was driven out or whether she deserted Hosea.

³ Much discussion has been devoted to the question why Hosea should have had to buy Gomer back, if she were the woman referred to in chapter iii. It is sometimes said that if she were his wife, he would be entitled to recover her

still loves her, despite her unfaithfulness, and instead of putting her to death for her adultery, as the law empowered him to do, he reclaimed her for himself.¹

without payment. On the other hand, it is sometimes thought that the sum was paid to her paramour. It seems unlikely that the paramour would need to be compensated, but rather that he would be fortunate to escape without punishment for his adultery. If Gomer were living in freedom, it might be expected that Hosea could claim her back without any payment. If, however, she had sunk to a condition of slavery, then her master might have to be compensated. If, for instance, she had sold herself, or had been sold, into slavery to pay her debts, her creditor, or the purchaser who had satisfied her creditor, would need to be compensated. Hosea's payment was therefore more probably to buy her freedom than to buy back his marital rights. A. D. Tushingham, *J.N.E.S.* xii (1953), 154 n., thinks the payment was a fee paid to the sanctuary in exchange for its loss of revenue, but theoretically to acquire her from the cult god. He thinks Gomer was a similar cult woman, over whom Hosea did not have power, despite the fact that he married her (p. 157), but that this time he made proper legal arrangements to get another woman completely into his power (p. 159), although this time there is no reason to suppose that he necessarily married her (p. 154 n.). It is very improbable that a man would have less power over his wife than over a similar hierodule to whom he was not married.

¹ R. E. Wolfe, *Meet Amos and Hosea* (1945), p. 86, thinks that "Gomer finally met the doom which Palestinian Society meted out to faithless wives, namely death". No evidence is offered in support of this, for the sufficient reason that none is available. Wolfe declares that the view which is adopted in the present paper rests on two misconceptions (pp. 81 ff.). The first is the idea that Gomer was unchaste before her marriage, and the second is the idea that Hosea sought to reclaim her after her adultery. He declares, again without a vestige of evidence, that in Hos. i. 2 the phrase rendered "a wife of whoredom" is "a technical term" which means "a woman who was to develop tendencies toward harlotry" (p. 82), and while he admits that as the book now stands it plainly shares the "misconception" that Hosea sought to reclaim Gomer (p. 84), he disposes of this by eliminating, in the manner of Marti, all that conflicts with his interpretation (*ibid.*). It may be gently pointed out that the suppression of evidence is not evidence, and that while it is true that if we first rewrite a book in accordance with a theory it may then appear to support the theory, something more than the theory is required as the basis of the rewriting, or we are guilty of arguing in a circle. We are offered no serious reason why Hosea could not have sought to reclaim Gomer, or why he could not through the chastening of his own poignant experience have passed from a message of judgement to a message of unquenchable love. It can scarcely be regarded as axiomatic that Hosea could not possibly grow in his understanding of the nature of God or in his expression of God's message to Israel. Even lesser men than Hosea have perceived that God will not quite fit into the wooden moulds we make for Him in our first excursions into theology. O. Procksch, *Theologie des Alten Testaments* (1950), p. 154, observes: "Der Prophet hat in seinem Schicksal, das ihm an die tiefsten Lebenswurzeln gegriffen hat, die

Later Talmudic law forbade a man to live with an adulterous wife,¹ and L. M. Epstein, speaking of Biblical law, says that "the husband cannot forgive his wife, and his forgiveness has no bearing on the crime of the adulterer".² This goes beyond the evidence, since the law says nothing whatever about this. Other oriental codes make specific provision for a husband's forgiveness of an erring partner,³ and it is likely that in Israel forgiveness was possible, though not encouraged by the law. Certainly not all adulterers and adulteresses were put to death, as the references in the prophets to the adultery that was rampant in some periods abundantly shows. But that forgiveness was possible is clearly indicated by Hosea's forgiveness of Gomer. Had Hosea divorced her, it would have been contrary to the law for him to take her back after she had associated with another.⁴ But he had not divorced her,⁵ and he was therefore free to take her back,

Erkenntnis gefunden, dass Gottes Wesen Liebe ist. In ihrer Grundsätzlichkeit ist diese Erkenntnis neu, wie innerhalb Israel, so überhaupt in der Geschichte der Menschheit." It seems to me more reasonable to suppose that this new perception came through the tragic experience of Hosea, as the present text admittedly indicates, than to suppose with Wolfe that it arose as a casual result of a clumsy interpolator's desire to draw the teeth of Hosea's message of judgement.

¹ Cf. T. B. Sotah, 28 a (L. Goldschmidt, *Der Babylonische Talmud mit Einschluss der vollständigen Mišnah*, v (1912), 266), and Sifre Numbers, § 7 (M. Friedmann, *Sifré debé Rab* (1864), p. 4 a). By implication the same thing stands in Sifre Numbers, § 19 (loc. cit. p. 6 b).

² Cf. *Sex Laws and Customs in Judaism* (1948), p. 199.

³ Cf. Code of Hammurabi, § 129, and Assyrian Code, Tablet A, § 15 (Driver-Miles, *The Babylonian Laws*, ii (1955), 50 f., and *The Assyrian Laws* (1935), pp. 388 f.).

⁴ Cf. Deut. xxiv. 1-4. The Code of Deuteronomy is commonly assigned, in its present form, to the seventh century B.C., and therefore later than the time of Hosea. This does not mean, however, that all of its provisions were new at the time of their codification. According to S. A. Cook, *The Laws of Moses and the Laws of Hammurabi* (1903), p. 124, the Babylonian husband was forbidden intercourse with his divorced wife, and this would suggest the probability that the Hebrew law was of ancient origin.

⁵ Cf. Gordis, loc. cit. pp. 20 f. n. Gordis records the view of C. H. Gordon that "she is not my wife and I am not her husband" (Hos. ii. 2 (Heb. 4)) is a formula of divorce and the stripping of the wife naked (ii. 3 (Heb. 5)) constituted the legal act of divorce. This view is rejected by Gordis, who holds that the threat of stripping was a threat of punishment, and not of divorce. So also J. Coppens, *Alttestamentliche Studien* (Nötscher Festschrift, B.B.B. No. 1) (1950), p. 44, rejects the view that in ii. 2 (Heb. 4) we have a formula of divorce.

just as Deutero-Isaiah tells us that God was free to take Israel back to Himself, since He had not given her a bill of divorce.¹ Nevertheless, Hosea for a time disciplined his wife before restoring her to her lost status.

All this offers a close parallel to Israel's relations with God, as the prophet conceived them. It is not necessary to suppose that Hosea thought of Israel as a harlot, in a metaphorical sense, before God's union with her in the wilderness days. There are passages in the prophets which think of Israel as the faithful bride of God in those days.² There are others, it is true, which think of her as rebellious and unfaithful even from that time.³ Hosea elsewhere speaks of Israel as the child of God, rather than His bride,⁴ but he also makes it clear that even in her childhood she did not requite His love and care with the love she should have shown.⁵ But leaving this aside, Hosea was bidden to marry a "wife of whoredom" to symbolize Israel's disloyalty to God in his own day.⁶ He is not here looking back to the wilderness period, but concerned with the Israel he saw around him, living in a state of religious promiscuity which he could only characterize by the metaphor of fornication. He could best symbolize God's present relation to Israel by marrying a woman whom he knew to be of an evil past, and of whose immediate loyalty he had little hope.

It is well known that the prophets performed many strange symbolic acts, acts which may well have seemed as revolting to them as they do to us. To the Hebrew nudity was always revolting, and it must have been revolting to Isaiah to walk the streets of Jerusalem naked and barefoot.⁷ Ezekiel must have found the meal he symbolically ate revolting and loathsome.⁸ Similarly, Hosea could well have found this marriage loathsome,

¹ Cf. Isa. l. 1.

² Cf. Hos. ii. 15 (Heb. 17); Amos v. 25; Jer. ii. 1-3.

³ Cf. Ezek. xx. 5 ff.; xxiii. 3.

⁴ Hos. xi. 1.

⁵ Hos. xi. 2 f.

⁶ Cf. Buzy, *R.B.* loc. cit. p. 392.

⁷ Isa. xx. 2 ff. It is, however, true, as L. Waterman, *J.B.L.* xxxvii (1918), 197, points out, that Isaiah's action spoke of captivity rather than of obscenity. O. R. Sellers, *A.J.S.L.* xli (1924-5), 245, says this was "a clear case of exhibitionism, a tendency which may be observed at any bathing-beach or track meet". It is improbable that this is correct.

⁸ Ezek. iv. 12 ff.

even though he felt a constraint, which he believed to be of God, to enter into it. Many writers have been concerned with the theological problem as to how God could have bidden Hosea to do something so dreadful as to marry a woman of ill repute with his eyes open to the certainty that she would be unfaithful to him. This is no more relevant to the discussion of what took place than is the theological problem of a lying spirit being sent forth by God to deceive Zedekiah the son of Chenaanah¹ to the factual study of 1 Kings xxii. However unique Hosea's symbolism is in prophetic symbolism, and however far it goes beyond other examples in unsavouriness in the eyes of the law,² there is no reason to regard it as impossible that a prophet who wished to bring home to his contemporaries the far more unsavoury character of their religious life should so realistically represent it in symbolic action. Moreover, as many writers have observed, an act which is ethically to be condemned in actual conduct does not become defensible as a Divine command in a vision or an allegory.³

The first child Gomer bore is stated to have been his,⁴ but the subsequent children do not seem to have been,⁵ and the prophet was prepared for this, since it paralleled the experience of Israel, whose religious disloyalty was in his eyes whoredom or adultery. Gomer's desertion of him in pursuit of a more exciting life than conjugal loyalty provided was symbolical of that complete rejection of God which the prophet saw in the life of the nation. But for whatever reasons Hosea had married Gomer, he had come to love her, despite all her disloyalty, so that though she had deserted him and brought sorrow and trouble upon herself, he was yet ready to buy her back. In the interpretation which the prophet gives in his oracle in chapter ii. he describes the sorrows which Israel, like Gomer, would bring upon herself.⁶ But he does not stop there. He speaks also of the

¹ 1 Kings xxii. 22.

² Cf. Gordis, loc. cit. pp. 13 f.

³ Cf. P. Cruveilhier, *R.B.*, N.S. xiii (1916), 348; E. Sellin, *Introduction to the Old Testament*, English trans., p. 159; A. Weiser, *Einleitung in das Alte Testament*, 2nd edn., p. 175; Gordis, loc. cit. p. 11.

⁴ Hos. i. 3.

⁵ Harper, op. cit. p. 207, thought all the children were illegitimate, while Bewer, *A.J.S.L.* loc. cit. p. 123, held that all the children were legitimate, but that Gomer later became unfaithful.

⁶ Hos. ii. 9 ff. (Heb. 11 ff.).

way in which God would draw her back to Himself and speak tenderly to her.¹ This is in harmony with the way in which Hosea restores Gomer to himself in chapter iii. Chapter ii speaks of the discipline God will bring on Israel in the laying waste of her vineyards, and in the cessation of her feasts,² just as chapter iii. speaks of the cessation of her independent government and of her cultic usages.³ But both chapters end on the note of restored relations, with utter loyalty now marking Israel. Just as on this view Gomer had married Hosea and had then been false to him, until she was restored to "her first husband", so Israel, the bride of God, was faithless to Him and abandoned Him, until she was restored to Him by His own initiative when she showed a chastened spirit. It is clear that Hosea still hoped to win the loyalty of Gomer, comparable to the devotion of Israel to God to which he looked forward, and though we are not told whether after her probation and purification she did give him her loyalty, it is tempting to think it may have been so, and that his love triumphed over her shame.

This view of the prophet's marriage, which is in no sense new, seems to me to be straightforward and relevant. It means that the prophet, who from the beginning knew the waywardness of Gomer as God must have known the waywardness of Israel, yet loved her with a love that could not give her up, and realized that if he so loved a woman who ill requited his love, and loved her until he won her back to himself, not alone by buying her from slavery but by winning her affection and loyalty, God must love Israel with a love transcending his own for Gomer. When he puts into the mouth of God the words : "How can I give thee up, Ephraim? How can I hand thee over, Israel? . . . I will not execute the fierceness of mine anger ; I will not return to destroy Ephraim",⁴ he perceives that judgement is no more

¹ Hos. ii. 14 (Heb. 16).

² Hos. ii. 12 (Heb. 14).

³ Hos. iii. 4.

⁴ Hos. xi. 8 f. For the rejection of these verses cf. J. Wellhausen, *Die Kleinen Propheten*, 3rd edn. (1898), p. 128; K. Marti, *Das Dodekapropheton* (K.H.C.) (1904), p. 90; L. W. Batten, *J.B.L.* xlviii (1929), 258, 264 f. I find no sound reason to reject these verses, which chime so well with elements in chapters i-iii that seem to me to belong essentially to those chapters. Cf. E. Sellin, *Einleitung in das Alte Testament*, 7th edn. (1935), p. 105.

the last word of God than it had been his own last word to Gomer.

One last question remains to be considered, and this brings out the one significant difference between the view I hold and the one so familiar to English readers in the work of George Adam Smith. Was the experience of Hosea the basis or the result of his prophetic vocation? Both views have found advocates. If we suppose, with Ewald, Wellhausen and George Adam Smith, that Hosea married a woman who was pure—or whom at any rate he believed to be pure—and only afterwards found that she played him false, and then by reflection on his experience came to realize that God had been leading him through it all to a deeper knowledge of Himself, we are led to the conclusion that his call came through his experience.¹ On the other hand, if we take at its face value the statement that it was by the word of the Lord that he was led to marry Gomer, his prophetic call preceded his experience.² It does not seem to me to be quite so simple as either of these views would suggest. The second seems to me to be without question substantially sound. Whether Hosea felt a divine urge to marry Gomer or not, it would appear that he acted as a prophet when Gomer's first child was born, before he was aware of her infidelity, and therefore before his bitter experience could have brought him the call that the other school of writers recognize.³ Hence I

¹ Cf. *supra* for references to a number of writers who take this view. Further writers who hold that the call of Hosea arose out of his unhappy experience include C. Cornill, *Introduction to the Canonical Books of the Old Testament*, English trans. by G. H. Box (1907), p. 321; H. P. Smith, *The Religion of Israel* (1914), p. 140; C. F. Kent, *The Growth and Contents of the Old Testament* (1926), p. 112; L. Gautier, op. cit. i. 465. Cf. also J. P. Hyatt, *Prophetic Religion* (1947), p. 43: "This interpretation of Hosea's domestic life considers the command of 3:1 as the crucial moment in his career. While not actually the initial summons to a prophet's mission, it was the moment which gave him a distinctive belief. . . . It was a moment which also gave him an insight into his past life that enabled him to interpret his marriage to Gomer as obedience to a divine decree." Against the view of Wellhausen, cf. E. König, *Einleitung in das Alte Testament* (1893), pp. 310 f.

² Cf. P. Volz, *Z.W.Th.* xli (1898), 322; J. M. P. Smith, *B.W.*, N.S. xlvi (1913), 95.

³ Cf. P. Humbert, *R.H.R.* lxxvii (1918), 160; also the full discussion by P. Volz, loc. cit. pp. 321 ff.

would range myself with those who hold that the call preceded his poignant experience, and I see no reason to doubt that it accompanied his urge to marry Gomer. At the same time it is certain that his experience deepened and enriched his message. At the time of the birth of the three children his word was of judgement, and it was only later that the note of reclamation was found.¹ When Gomer left him he breathed out threatenings against her, only to find that love transmuted them into forgiveness and sent him to seek her and reclaim her.² In the case of some other prophets we find that in the moment of their call they perceived in germ the essence of the message with which they were charged. This appears to have been so in the case of Isaiah³ and Jeremiah.⁴ But there is no reason to suppose that more than one element of the message of Hosea was given to him before his marriage with Gomer, and that the least rich element. His experience was at once the consequence and the basis of his consciousness that God was claiming him for His service. Hence I am persuaded that the call of Hosea was a sustained one, beginning in a moment before his marriage with Gomer indeed, but growing clearer and deeper through the experiences that followed until at last he perceived the full

¹ Here I range myself fully with Hyatt, loc. cit.: "It (i.e. the moment referred to in the passage cited above) turned Hosea from a prophet of doom to a prophet of hope and redemption." R. Kittel, *Geschichte des Volkes Israel*, 7th edn., ii (1925), 345 ff., somewhat differently maintained that before discovering his wife's infidelity Hosea was a political prophet, and only afterwards became a prophet of love.

² Cf. J. A. Bewer, *A.J.S.L.* xxii (1905-6), 126 f., 130, and *The Literature of the Old Testament in its Historical Development* (1922), p. 95. Cf. also A. Æschimann, *Dictionnaire Encyclopédique de la Bible*, ii. 257 b: "S'il n'avait pas souffert par sa femme, Osée aurait-il compris si profondément les sentiments de Yahvé souffrant par son peuple? S'il n'avait pas éprouvé une telle indignation contre l'épouse infidèle, aurait-il su mettre des accents si pathétiques dans la bouche de Yahvé trompé par la nation infidèle? S'il n'avait pas aimé Gomer d'un amour espérant contre toute espérance, aurait-il pu parler d'une manière si émouvante des perspectives d'un retour d'Israël à son Dieu?"

³ Isa. vi. In verse 13 there is to be found the germ of Isaiah's teaching on the Remnant. This verse is often denied to Isaiah and removed as secondary. Against this cf. I. Engnell, *The Call of Isaiah* (1949), pp. 14 f., 47 ff.

⁴ Jer. i. 10. It is to be observed that here Jeremiah is called to a mission which was not exhausted in judgement; it was a mission of building and planting, as well as one of destruction and uprooting.

message entrusted to him. Like Another, he learned obedience by the things that he suffered,¹ and because he was not broken by an experience that has broken so many others, but triumphed over it and in triumphing perhaps won back his wife, he received through the vehicle of his very pain an enduring message for Israel and for the world.

¹ Heb. v. 8.

THE MAURIST CORRESPONDENCE OF ABBOT ROBERT BOOTZ OF HIMMEROD

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HIMMEROD ABBEY, GERMANY

THE reformed Benedictine congregation of St. Maur had its origin in France about the year 1613.¹ In the course of the 200 years of its existence it had some amazing achievements to its credit. The strict observance of the rule of St. Benedict brought in its train a late blossoming of the monastic life ; the stress laid on the promotion of learning and study calls to mind the great days of Benedictine cultural achievement. The members of the Order received an excellent ascetic and professional training which fitted a not inconsiderable number of them for imperishable performances in the field of learning. In addition to theology the Maurists turned their attention to secular history and became founders of important subsidiary historical sciences (Diplomatic, Palaeography, Chronology). Men like Mabillon—named by his contemporaries the “Prince of Scholars”—d’Achéry, Tarisse, Durand, Martène, Montfaucon, Bouquet, Ruinart, and others investigated systematically the archives and libraries of the monasteries and cathedral chapters of their time. The fruits of their labours they gave to the world in huge compilations whose value is still unchallenged in our day.

As late as the second half of the seventeenth century Himmerod had still not come within the purview of the Maurists. In the year 1667, however, Dom Luc d’Achéry turned to the Eifel abbey when seeking material for a large-scale life of the saints.² The abbot of that time, Johannes Post (1654-85), who

¹ Cf. Martène, *Histoire de la Congrégation de Saint-Maur*, published by G. Charvin (Ligugé, 1928) ; Philibert Schmitz, *Histoire de l’Ordre de S. Benoît*, tome iv (Maredsous, 1948), 31-52.

² J. M. Besse, “Les correspondants Cisterciens de Dom Luc d’Achéry et de Dom Mabillon”, in *Revue Mabillon*, 8 (1912-13), p. 311 no. XXXVI ; p. 314 no. XXXIX.

shortly before had assisted the Jesuit father Masenius at Trèves with similar works,¹ promised active aid. Dom Edmond Martène (1654-1739),² a pupil of d'Achéry, came into closer contact with Himmerod in 1718. The occasion for this was offered by a scholarly research expedition which he undertook, in the company of his fellow monk, Dom Ursin Durand, to libraries in France, the Netherlands and Germany.³ In the course of their journey they visited Himmerod between 10 and 16 December 1718.⁴ In addition to valuable information on the Romanesque church and monastery of Himmerod, they recorded their personal impressions of Abbot Robert Bootz of Grosslittgen (1685-1730). This highly cultured prelate, "himself an inspired friend of the sciences",⁵ gave the two Maurists the warmest of receptions and magnanimously granted them permission to make use of the library as they thought fit. True, robberies and burnings had materially reduced the stock of manuscripts, once so important;⁶ yet, according to the testimony of the Maurists, he produced several rarities. From the Himmerod manuscripts the scholars published two hitherto unknown writings—the "Praefatio Haimonis ad venerabilem Patrem Wilhelmum"⁷ and the "Proemium ad amena penitentie nos inuitantis".⁸ Some years later they were followed by eighty-four unknown letters of St. Hildegard of Bingen (d. 1179).⁹ So that the extracts made from it at Himmerod might be complete Abbot Robert sent the valuable codex itself to Germain-des-Prés

¹ Browerus-Masenius, *Antiquitatum et Annalium Trevirensium libri XXV* (Lütich, 1671).

² On Martène cf. *Dictionnaire de Théologie catholique*, tome x (Paris, 1928), pp. 179 ff.; *Lexikon für Theologie und Kirche*, Bd. VII (Freiburg, 1935), Sp. 3-5.

³ They published the account of their expedition in the two-volume *Voyage littéraire de deux religieux bénédictins de la Congrégation de Saint Maur* (Paris, 1717-24).

⁴ Ambrosius Schneider, "Maurinerbesuch in Heisterbach und Himmerod", in *Cistercienser-Chronik*, 51 (1939), 81-6; "Skriptorium und Bibliothek der Cistercienserabtei Himmerod" in *BULLETIN OF THE JOHN RYLANDS LIBRARY*, 35 (1952), 164 f.

⁵ *Voyage littéraire*, II, 277.

⁶ Schneider, "Skriptorium", p. 162.

⁷ Martène-Durand, *Veterum Scriptorum et monumentorum ecclesiasticorum amplissima collectio*, I, (Paris, 1724), col. 510.

⁸ Ibid. col. 508.

⁹ Migne, *P.L.* 197, col. 281-382.

in 1720, as Martène in the preface to his edition gratefully acknowledges.¹

The associations thus initiated by the occasion of the visit to Himmerod were intensified in the following years by an interchange of letters between Abbot Robert Bootz and Dom Martène.² As a result of this correspondence fresh light is thrown on the formative influences exercised by Himmerod. The letters, written throughout in good Latin, contain mainly literary queries and requests for books. At times they pass on news of the well-being of the abbot and his tasks as vicar-general of the lower German Province of the Order. The prelate also reports to the interested Maurists on repaired books and on the new arrangement of the convent library, which—as he much regrets—had not been completed at the time of Martène's visit.

The requests for books reveal the many-sided interests of Abbot Robert Bootz. Martène acted as intermediary for the acquisition of important patristic and historical literature for Himmerod. Paris at that time was a centre of the book market for scholarly works. In this way the works of Mabillon, d'Achéry, Martène, Pez, and Tissier came to the Eifel abbey. From the Cistercian bookseller Mariette in Paris, Bootz, through the good offices of Martène, obtained for himself and for the abbots of the lower German Province liturgical books such as the *Graduale*, *Psalterium*, *Rituale*, and *Directorium*. Then, too, the Trier suffragan Bishop Johannes Matthias von Eyss (1708-29), as a consequence of his visit to Himmerod, made use of his meeting with the Maurist. In common with Abbot Robert he placed orders for the works of St. Bernard of Clairvaux.³ And, finally, Martène was of great help in paying for the books, a

¹ "Nos longe plures [epistolae S. Hildegardis] invenimus in optimae notae codice Himerodensis monasterii. Codex, ab annis circiter quingentis exaratus, varia Hildegardis continet opuscula . . . Porro has epistolas debemus humanitati reverendissimi et amplissimi abbatis Himerodensis, qui eas non modo ex suo manuscripto transcribere permisit, sed codicem etiam ipsum nobis sponte Parisios transmisit." (Ibid. 281, Monitum); cf. also the Letters I-III.

² I am most grateful to M. A. Vernet, Secretary of the École Nationale des Chartes at Paris, for kindly drawing my attention to the correspondence. The letters are in the Bibliothèque Nationale at Paris, MS. Fr. 19662, fols. 170-5 and 25538, fols. 253-264v.

³ Cf. Letter I.

matter complicated by the foreign currency. For this service Abbot Robert was exceedingly grateful and offered corresponding services in return. In most of the letters the abbot does not forget to send greetings to Dom Ursin Durand, Martène's travelling companion.

Letters of the Abbot of Himmerod to the Maurists, apart from those now made public for the first time, have up to the present remained unknown. The correspondence gives us an insight into the association between Himmerod and St. Maur in the eighteenth century. In the solitary Eifel abbey the literary publications of their fellow monks in France were followed with keen interest and, in addition, attention was directed to the most recent historical and theological works. In this way the correspondence with Martène stirred the spiritual life in the monastery at Himmerod in fruitful fashion. The letters, moreover, are valuable contributions to our knowledge of Abbot Robert Bootz, undoubtedly the greatest of Himmerod's abbots. They show very clearly how highly he was valued by the two Maurist scholars. In his own way, too, the Cistercian abbot, in providing source materials, had his own share, even if a modest one, in the famous Maurist researches.

TEXTS¹

I

1719, November 3.—Himmerod.

Paris, Bibl. nat. fr. 25538, fols. 253-254 (In the hand of the Secretary,² with the Abbot's signature)

Admodum reverende et eximie domine,

Gratissimas litteras admodum reverenda dominationis vestrae de 6^{ta} proxime elapsi mensis octobris tandem 28^{va} eiusdem recte accepi ex quibus cum innoverit tertiam editionem Operum sancti Bernardi publici juris factam, et reverendam admodum paternitatem vestram pro his aliquique procurandis mihi suam operam offerre, ego eandem hisce rogare praesumo, ut sequentes libros latori harum domino agenti domini Comminott, mercatoris Trevirensis, in bona

¹ The letters published here for the first time are not in Thierry Réjalot, *Inventaire des lettres publiées des Bénédictins de la Congrégation de Saint Maur*, Ligugé, 1933-43.

² Father Robert Strasser (1666-1734).

compactura Parisiensi, quanto fieri poterit, citius extradere dignetur, receptura ab eodem agente solutionem competentem: imprimis Opera sancti Bernardi in duplo, semel pro nostro monasterio et semel pro reverendissimo suffraganeo Trevirensi quem in receptione litterarum vestrarum habebam hospitem; deinde Bibliothecam Cisterciensem in 2 tomis;¹ ac demum Anecdota vestra² in 5 tomis.

Epistolae sanctae Hildegardis, propter fertilem vindemiam et libros in bibliotheca nostra jam perfecta in ordinem redigendos, ne cum ex integro extrahi potuerunt; curabo tamen ut saltem hac hijeme fiat. Multo plura inveniuntur manuscripta quam in praesentia admodum reverendarum dominationum vestrarum visa fuerint, quae optassem tunc in ordinem redacta fuisse ut majorem inde fructum colligere potuissent. Humanissime resaluto dominum Ursinum Durand meque reciproce ad quaevis grata servitia in his partibus offerrens permaneo in vera Christi charitate admodum reverendae dominationis vestrae

obsequiosissimus servus

F. Robertus Abbas in Himmenrode

V. G. [Vicarius generalis]

Ex Himmenrodio 3. novembbris
1719

II

1720, Februar 4.—Himmerod

Paris, Bibl. nat. fr. 19662, fols. 170-171^v (Autograph)

Admodum reverende et eximie domine,

Humanissimis litteris vestrīs de 12^{ma} decembris elapsi anni eo usque responderē distuli, donec recepissem libros sua mihi cura et sollicitudine procuratos, qui cum praeter exspectationem in via detineantur, ultra obligationi meae deesse non possum quin gratias eidem referrem maximas pro exhibitis hac in parte et alias fraternalis servitiis, meque reciproce ad paria charitatis obsequia offerrem.

Epistolas sanctae Hildegardis cuidam ex nostris religiosis, ut alias scripsi, extrahendas tradideram, sed cum ipse ob antiquas notas et abbreviations in pluribus deficeret, mihiique ob emergentia negotia vix possibile esset eidem assistere, cogor ipsum manuscriptum hisce transmittere, et eo usque concredere reverendae admodum dominationi vestrāe donec ea quae in editis desiderantur extracta fuerint.

Adjungo pariter hisce elenchem quorumdam Sermonum Caesarii [scil. Heisterbacensis], qui utrum in Bibliotheca Patrum Cisterciensium editi sint, sub judice lis sit. Dum ego me meosque tam reverendae admodum paternitatis vestrāe quam reverendi domni Durand piis precibus recommendo, et in

¹ Bertrand Tissier, S.O. Cist. (1610-70), *Bibliotheca Patrum Cisterciensium* (Paris, 1660-9).

² Martène, *Thesaurus novus anecdotorum* (Paris, 1717).

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vera Christi charitate permaneo admodum reverendae et eximiae dominationis
vestrae

obsequiosissimus servus
F. Robertus Abbas in Himmenrode

Ex Himmenrodo 4.^{ta} februarii
1720

[Address : In the hand of the Secretary]

Monsieur

Monsieur le Reverend Père Dom Emond [sic] Martène du monastère
et abbaye royal de St Germain des Prez de la Congrégation de St.
Maure ord. S. Benoit prêtre et religieux très digne
à Paris

III

1721, Juli 12.—Himmerod.

Paris, Bibl. nat. fr. 25538, fols. 255-256^v (Autograph)

Admodum reverende et eximie pater
domine confrater plurimum colende.

Litterae vestrae de 22 aprilis sub initium mensis maii huc perlatae sunt, et
non longe post manuscriptus codex, dum ego pro functionibus Ordinis versus
Rhenum profectus. 22^{da} maii gravi et periculosa infirmitate correptus, per 6
septimanas Confluentiae detentus fui, a qua mihi et monasterio meo per gratiam
Dei utcunque restitutus, reverendam admodum dominationem vestram de hac
receptione informandam duxi, et quia nullum hactenus a domino Mariette,
bibliopola Cisterciensi, responsum recipio, cogor uti opera reverendae paternitatis
vestrae pro constituendis libris in adjacenti schedula notatis. Ego dicto
domino adhuc debeo 18 libras, qui si mihi in antecessum credere et mittere
vellet libros ordinis, possem omnes in his partibus distrahere et solutionem
successu temporis per cambium remittere, prout hisce receptis omne pretium
cum sumptibus solvere non omittam, qui me ad quaevis grata servitia reciproce
offerens, suisque ac domini Ursini precibus unice commendans permaneo in
vera Christi charitate admodum reverendae paternitatis vestrae

paratissimus servus

F. Robertus Abbas in Himmenrode

Ex Himmenrodo 12. julii
1721

[In the hand of the Secretary]¹

Admodum Reverendo et eximio in Christo patri domino Edmundo
Martène regalis monasterii S. Germani a Pratis e Congregatione Sancti
Mauri presbytero et monacho benedictino domino colendissimo
à Paris

¹ This address is repeated in the letters which follow.

IV

1721, August 28.—Himmerod.

Paris, Bibl. nat. fr. 25538, fols. 257-258^v (Autograph)

Admodum reverende et eximie domine
domine confrater plurimum colende,

Pergratae mihi fuerunt ultimae litterae admodum reverenda dominationis vestrae, quae cum existimet Spicilegium veterum monumentorum¹ sequenti anno edendum bibliotheca nostra dignum esse, includo hisce cambium 114 librarum, ut inde 54 libras pro dicto Spicilegio in antecessum solvere et ex nomine subscribere dignatur dominatio vestra; item pro Analectis Mabillonii² servient 15 librae et pro Operibus sancti Anselmi 20 librae. Reliquum de dicto cambio solvi poterit domino Mariette ad computum pro libris mittendis, qui si moram fecerit in iisdem transmittendis, juste timere posset ne forte abbates Germaniae libros ordinis extra Galliam praelo subjicere cogantur. Libri Haymonis sunt sub manibus, quos tamen nonnisi circa festum S. Michaelis transmittere potero, cum crastino die pro functionibus ordinis ex mea infirmitate hactenus intermissis versus Rhenum proficisci et integrum mensem iisdem impendere debeam. Dignabitur interim reverenda admodum dominatio vestra me quantocius certiorem facere de solutione et receptione cambii, meque consuetae suae ac domini Ursini Durand benevolentiae commendatum habere, qui sum et maneo in charitate non facta admodum reverenda et eximiae dominationis vestrae

obsequiosissimus servus

F. Robertus Abbas in Himmenrode

Ex Himmenrodio 28.^{va} augusti

1721

V

1721, Oktober 24.—Himmerod.

Paris, Bibl. nat. fr. 19662, fols. 172-173^v (Autograph)

Admodum reverende et eximie pater
domine confrater colendissime,

Ad instantiam domini Cominott denuo mitto litteras nuper remissas, pro quibus ipsem dominus Cominott jam tum scripsit domino Le Grand, proindeque spero reverendam paternitatem vestram hac vice recepturam pecunias. Interim dominus Mariette, his non attentis, mittere poterit libros petitos Metas “ à Monsieur Louis Michellet ”, sub inscriptione domini domini Cominott transmittendos, cum Metis Treviros usque fere singulis septimanis mitti possint.

¹ Jean Luc d'Achéry (1609-85), *Spicilegium sive collectio veterum aliquot scriptorum*, 13 vols. (Paris, 1655-77); ² 1723.

² Jean Mabillon (1632-1707), *Vetera Analecta*, 4 vols. (Paris, 1675-85); ² 1723.

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Habeo prae manibus Thesaurum anecdotorum novissimum hoc anno a domino Bernardo Pezio benedictino et bibliothecario Mellicensi in tribus tomis fol. Augustae Vindelicorum editum,¹ quem propterea se "novissimum" nominare asserit, ut post Novum a reverenda dominatione vestra evulgatum suus Thesaurus "novissimi" titulum assequatur. Non ita mihi placet sicut vester, cum de solis rebus benedictinis tractet.

Descriptio Haymonis nondum ex toto est absoluta, quam tamen proxime mittam ad dominum priorem sancti Vincentii Metensis, dum interim me meosque suis suique fidelissimi sodalis precibus et sacrificiis unice commendans permaneo in charitate non facta

admodum reverendae dominationis vestrae

obsequiosissimus servus

F. Robertus Abbas

Ex Himmenrodio 24.^{ta} octobris

1721

VI

1722, Januar 22.—Himmerod.

Paris, Bibl. nat. fr. 25538, fols. 259-260^v (Autograph)

Admodum reverende et eximie pater
domine confrater colendissime,

Misi sub finem proxime elapsi mensis et anni Sermones Haymonis ad dominum priorem Sancti Vincentii Metensis et novissime inde recepi libros a domino Mariette bene compactos, pro quorum solutione reverenda admodum dominatio vestra proxime recipiet ab alio mercatore summam 213 librarum et 10 solidorum, ex qua summa et dominus Mariette juxta computum suum habebit 124 libras 10 solidos, residuae 89 librae servient pro aliis libris mihi jam pridem recommendatis; optassem dominum Mariette libris transmissis adjunxisse saltem unum Directorium Cisterciense pro hoc anno, quod alia vice fieri poterit. Ignoscat mihi, rego, admodum reverenda dominatio vestra quod eamdem ulterius molestare praesumam, cum aliam viam satisfaciendi non inveniam, qui me reciproce ad quaevis grata servitia paratum offerro, et cum humanissima salutatione domini sodalis sui Ursini permaneo usque ad aras admodum reverendae et eximiae dominationis vestrae

obsequiosissimus servus

F. Robertus Abbas in Himmenrode

V. G.

Ex Himmenrodio 22. januarii

1722

¹ Bernhard Pez, O.S.B. (1683-1733), an important historical writer in the abbey of Melk, Austria, was also in correspondence with Martène. He was editor of the *Thesaurus anecdotorum novissimum*, 6 vols. (Augsburg, 1721-9).

VII

1722, Juli 3.—Himmerod.

Paris, Bibl. nat. fr. 19662, fols. 174-175^v (cf. No. I)

Admodum reverende et eximie domine
domine confrater plurimum colende,

Summo me gaudio affecerunt litterae vestrae de 16^{ta} proximi elapsi mensis, praesertim cum a facta mense januario Treviris solutione 213 librarum cum dimidia nihil hactenus audiverim, et ego interim a Paschate usque huc gravi infirmitate detentus, exterioribus parum intendere potuerim. Nunc mihi ab aliquot diebus utcunque restitutus exspectabo Opera sancti Anselmi cum Analectis Mabillonii quibus si adjungi posset unum Graduale Cisterciense fol. cum canto in albis gratum foret. Ut primum editio Spicilegii completa et soluta fuerit, pro Collectione veterum monumentorum¹ sollicitus ero, qui esse in sancta quaeque commendo esequre reciproce ad quaevis grata servitia offerens permaneo in vera Christi charitate admodum reverendae et eximiae dominationis vestrae

obsequiosissimus servus

F. Robertus Abbas

Himmenrodii 3.^{ta} julii

1722

VIII

1722, September 18.—Himmerod.

Paris, Bibl. nat. fr. 25538, fols. 261-262^v (Autograph)

Admodum reverende et eximie domine
domine confrater honorande,

Litteras vestras de 26.^{ta} julii die 12.^{ma} augusti recte accepi, et haud longe post Opera sancti Anselmi per dominum Michelet Metensem, per eumdem proxime exspectans Graduale et Rituale Cisterciense pro quibus etsi reverenda dominatio vestra in dictis litteris suis scribat de consignato et misso Psalterio Cisterciensi, ego credo esse errorem calami, cum ego in meis sub 3.^{ta} julii petierim Graduale Cisterciense. Ut ut sit, ego nihilominus Psalterium retinebo, et alia occasione Gr[al]duale exspectabo, si hac vice non fuerit missum. Interim bibliotheca nostra redacta est in ordinem, et his diebus admissus fuit bibliopegus, qui aut corruptos libros reficiat, aut de novo compingat. Ignoscat mihi reverenda admodum dominatio vestra, si forte abutar correspondentia vestra, nam charitas fraterna me urget, in qua finio, meque ad quaevis sancta recommendo, qui sum

admodum reverendae dominationis vestrae

obsequiosissimus servus

F. Robertus Abbas

Ex Himmenrodio 18.^{va} septembbris

1722

¹ Martène, *Veterum Scriptorum et monumentorum collectio nova*, Rouen, 1700.

IX

1724, Juni 13.—Himmerod.

Paris, Bibl. nat. fr. 25538, fols. 263-264^v (Autograph)

Admodum reverende et eximie domine
domine confrater colendissime

Ignoscet, spero, reverenda admodum dominatio vestra, tarditati meae, nam praeterquam quod ab ineunte vere variis itineribus et functionibus praepeditus fuerim, nolui eamdem utilioribus pro re litteraria studiis occupatam interturbare. Mox tamen post receptas sub initium mensis martii litteras vestras per camporem Trevirensem misi pecuniam debitam domino Mariette, a quo propediem exspecto quittantiam solutionis factae. Interim etiam per urbem Metensem recte accepi Spicilegium et Analecta Mabillonii, e quibus summam voluptatem haurio, quantum tempus et senium permittunt, sed pro aliis tomis jam tum praelo commissis propter nummorum raritatem et graves patriae impositiones me in praesens resolvere non possum, qui feliora tempora exspectans me vivum et mortuum suis suique fidissimi sodalis precibus commendando et in vera Christi charitate persevero

admodum reverendae et eximiae dominationis vestrae

obsequiosissimus servus

F. Robertus Abbas

Ex Himmenrodio 13.^{ta} junii

1724

THE MECHANICS OF LAW MAKING TODAY¹

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I

The Idea of Law Making

IN the agricultural and pastoral community of England in the Middle Ages law was largely customary : legislation was exceptional, save to confirm customs and privileges² and, occasionally, to limit royal or seignorial power and to set up administrative and judicial organs. For one thing, at that time legislation could not be readily known before the invention of printing, and three languages, Latin, Norman French and, later, English, competed to be the vehicle of its communication. Indeed, the notion that the law can be changed was not common in the Middle Ages.³ *Nolumus leges Angliae mutare* was a typical reaction to the innovator.⁴

The term "statute" has certainly not always been regarded as meaning a *new* law. In the time of Edward III, for example, statutes were considered to be more permanent and difficult to change than Royal ordinances ; for the statutes were largely regarded as affirmations of the common law. We repeat, in a static society, *status* does not vary much, and changes in the

¹ A lecture delivered in the John Rylands Library on Wednesday, the 18th of January, 1956.

² Plucknett, *Statutes and their interpretation in the fourteenth Century* (1922), p. 28.

³ Maine's famous generalization that law reforms in Western European societies proceeded first by fiction, then by equity and finally by legislation is fairly true for England. See *Ancient Law*, 10th edn. by Pollock (London, 1906), p. 29.

⁴ See Maitland, *Constitutional History* (1908), p. 16. This was the phrase traditionally used when in 1236 the Barons refused the Canon law doctrine of *legitimatio per subsequens matrimonium*, a doctrine only introduced by Parliament for the first time by the *Legitimacy Act* 1926.

statute law are not common. The medieval common law was regarded as, in essence, " reason ".¹ The law could be developed, but its basic principles were not to be regarded as freely changeable. It must be remembered too, as Plucknett says,² that

The difficulty of medieval statesmen was . . . getting law of any sort efficiently enforced and generally respected in the absence of a standing army or a permanent police force.

To believe that the formal enactment by a legislature, of an idea expressed in a solemn form of words, *inevitably* makes an *effective* law, is a modern superstition which is often the downfall of politicians in states where the administration is inefficient or corrupt. The system of legislation in Britain today is the product of, and is dependent upon, a highly organized and tightly-knit social system, with an effective civil service, a legal system, a police force and a tax-gathering machine ably supported by the accountancy profession, all of which provide the ways and means of administering, enforcing and paying for legislative projects.

Probably it was the growing participation of the Commons in law making, and their gradual control of finance, which slowly brought about an increased general interest in legislation. Bentham's work undoubtedly gave an impetus to this interest : and the reform of the Civil Service, the Judicial System and the tax-gathering machinery in the nineteenth century made law reform possible. And if the nineteenth century was the century of the *reform of the law*, by legislation, the twentieth century has been, so far, a period of widespread attempts to *reform society itself*, by vast and complicated legislation providing social services and imposing almost confiscatory taxation on incomes and inheritances, as well as imposing far-reaching legal controls on economic activity sometimes amounting to nationalization.

It is *de rigueur* now for a political party to go to the electorate with an elaborate programme of legislative measures to reshape and add to the volume of statute law in order to make its social

¹ See Maitland, *Constitutional History* (1908), pp. 268 f.

² *Statutes*, p. 29. C. St. German (ob. 1540 c.) in " Doctor and Student ", ch. xi, gives Statute as the sixth, and somewhat exceptional, ground of the Law of England.

programme effective if it obtains a Parliamentary majority.¹ Of the manipulation of the public opinion of electors by means of mass communication of ideas in the press, the wireless and the television I will speak later. What Sir Ivor Jennings calls "the art of management of a parliamentary majority" is a matter that does not concern my theme. Suffice it to say that, at the opening of a session of Parliament, it is customary for the Government of the day to outline their legislative programme in the Queen's Speech, a procedure reminiscent of the time when the Sovereign really did legislate by ordinance.

II

Law-Making Procedure

There is no written constitution² in this country which states how a programme is to be turned into law.

It is constitutional law that enables particular formulas to be made into statements of a legally binding character, distinct from other statements or exhortations, and the constitutional law governing Parliamentary procedure is made up of the custom and practice of each of the Houses of Parliament, together with their orders³ and rulings from the Chair: only to a very small extent is it also a matter of statute.⁴ Constitutional custom is still

¹ Ideas for law reform, or for laws to transform society itself, are nowadays largely formulated by politicians in the programmes of political parties which exist to promote, or to prevent, the application of legal and sociological ideas advanced by writers and philosophers who themselves often live and die in comparative obscurity.

² The Parliament Act 1911, passed under the Liberal Government of the day, was passed merely, according to its title, "to make provision with respect to the powers of the House of Lords in relation to those of the House of Commons, and to limit the duration of Parliament". References to the ordinary procedure in the House of Commons appear incidentally in that Act, e.g. s. 2, but the normal procedure whereby a bill is passed into law is a matter not of legislation but of constitutional custom.

³ The legislature consists of the Queen, more than 820 temporal and 26 spiritual Lords and 630 members of the Commons: and each of these bodies has its part to play in the making of a law. Wade and Phillips, *Constitutional Law* (1955), 5th edn., p. 74.

⁴ Standing orders now give the Government of the day a strict control over Parliamentary business, and May suggests (p. liv) that since 1880, as a result of obstructionist tactics of the Irish Nationalist Party, standing orders have

the principal basis of our system of legislation. Statute does not explain the existence of statute, but custom does.¹

The customary British practice is for each House to give three readings to every bill, to ensure its full consideration and *reconsideration* (consequently an amendment may be raised more than once). A committee of the whole House of Commons may alone originate bills "the main subject of which is the expenditure of money or the imposition of taxation".² Bills with "money clauses" need not so originate, but the money clauses must be authorized by a committee of the whole House.³ A bill certified by the Speaker to be a money bill does not now, since the Parliament Acts of 1911 and 1949, need to pass through the House of Lords before becoming law; over non-financial bills the Lords have a suspensory veto for one year between the second reading in the Commons in one session and the third reading of the bill in the next session; in that manner is the preponderance of the House of Commons assured. The only certain way to obtain legislation is to obtain its adoption by those in control of the House of Commons: in practice this means obtaining the support of the largest political party or combination of parties in the House of Commons.⁴ If the party or coalition in power can be persuaded to adopt or decide upon a reform, then its passage can usually be assured by the Government whips, because the Government will be prepared to allot legislative time to its introduction and debate;⁵ where it is still legally necessary, the Government of the day can usually ensure the assent of the Lords even to non-money bills. Where the assent of the Lords is necessary and cannot be obtained, or speedily dispensed with under the Parliament Acts 1911 and 1949, then the Government

tended to reduce the opportunities of minorities to debate even on dates set apart for that purpose, and with the gradual increase in the materials fed into the legislative machine this is still the case. May, *Parliamentary Practice*, 15th edn. (1950), p. li.

¹ Goodhart, *English Law and the Moral Law* (1953), p. 50, rightly says that constitutional law constitutes the state.

² May, p. 497.

³ Ibid. p. 498.

⁴ Proposals for public expenditure must be recommended by a Minister of the Crown.

⁵ Jennings, *Parliament* (1939), p. 109.

could conceivably change the composition of the Lords by requesting the Sovereign to create a sufficient number of Peers, of the appropriate frame of mind, to ensure the passage of legislation by the House of Lords. It was by the use of the threat to create Peers that the Parliament Act 1911 was passed ; Asquith's Government had in fact prepared a list of persons who would have been nominated for peerages by the Crown if it had been necessary ; the list is to be found in Spender and Asquith's *Life of H. H. Asquith*.¹ The Sovereign is now largely dependent upon the passing of financial legislation by the House of Commons, and it is not likely that the Sovereign would refuse the creation of peers in face of a determined majority in the House of Commons representing the public opinion of the electorate.

The bulk of legislation is then directly sponsored by the Government of the day, either as the direct result of its political programme, like the nationalization or denationalization of industries, or because the reports of some Government-sponsored committee like the Cohen Committee in Company Law,² indicate the urgency of some new reform.³

Parliamentary debate⁴ not only informs the public and helps

¹ Vol. i (London, 1932), pp. 329-31.

² E.g. The Law Reform Committee and the Lord Chancellor's Committee on Private International Law.

³ See 9 *Mod. Law Rev.*, p. 235.

⁴ Criticism in the House of Commons can, however, be considerably controlled by the Government use of the procedural devices known as the closure, the Kangaroo and the guillotine. These have been admirably described by Griffith and Street in these words :

"The first may, of course, be used on all kinds of motions : if moved (normally by a Government Whip), accepted by the Speaker or Chairman and supported by not less than 100 Members in the majority, discussion on the question is ended. It is not uncommon for the Speaker or Chairman to refuse to accept the motion in order to protect the rights of the minority. He is often consulted before the Government proposes to put the motion and often indicates at this stage that he will not accept it if it is put. Under the kangaroo power, the Speaker on the report stage, the Chairman of Ways and Means in committee of the whole House, and the Chairman of a standing committee have power to select the new clauses or amendments to be proposed. Since this power is provided for by Standing Orders and does not require a motion, it cannot accurately be called a governmental power ; its effect, however, is to speed the passage of Bills. Guillotine

to form public opinion, but it may of course directly influence Government policy ; it may cause bills to be modified ; it may even cause bills to be withdrawn, as were the *Incitement to Disaffection Bill*, 1934, and the *Population Statistics Bill*, 1937.¹ More recently, the Road Traffic Bill was withdrawn after severe criticism in the Lords in 1955.

Bills may be divided into

- (a) Public Bills introduced on Government initiative,
- (b) Public Bills introduced on a private member's initiative, and
- (c) Private Bills.

(a) *Public Bills* are usually the subject of a vote which goes on party lines, but they may also, by consent of the Government of the day, be the subject of a " free vote " ; more often than not, however, bills on which a free vote is allowed originate on the initiative of a member in his private and not in his party capacity.

Jennings says debates with a free or " non-party " vote, are " as rare as a hot summer in England " :² such things have occurred—we had a hot summer last year and there was the debate on Capital Punishment. The possibility of a free vote shows that parties are occasionally willing to give up their normal control of the legislative machine.

In the ordinary debate on party lines the Party Whips do their best to see that there is an adequate attendance " to make a House, to keep a House and cheer the Minister ".³ The quorum of members in the Commons is forty. Members who do not accept their party's " three line whip "⁴—the telegram underscored with three lines—are not likely to be *personae gratae* with the party, and may lose the financial and moral support of the party when they offer themselves for re-election by their constituents.

resolutions, under which discussion on stages of Bills or parts of stages terminates at fixed times, are moved by the Government, although agreed timetables for proceedings on a Bill are often the result of consultation with the Opposition." *Principles of Administrative Law* (1952), p. 79 f.

¹ Griffiths and Street, op. cit. p. 79.

² Parliament, p. 148.

³ Ibid. p. 75.

⁴ Ibid. p. 78.

(b) *Public Bills introduced on private members' initiative.* In every session members have a limited chance to promote legislation of their own initiating ; but, as Jennings pointed out, in 1939,¹ because of the pressure of Government business, the only time available for private members' Bills amounted to about eight Wednesdays and thirteen Fridays in the session.² But here again, as with Bills introduced on Government initiative, the Government of the day must be benevolently inclined to the Bill, or at least neutral, if it is to have a chance of passing : the strange story of A. P. Herbert's Marriage Bill and the way this private member's Bill, radically altering the Marriage and Divorce Law of this country, was passed, has been fully described in Herbert's book *The Ayes Have It*. It is no doubt sometimes politically convenient for highly controversial measures to be left to private initiative, and not to be undertaken by the Government itself. Again the amendment of "lawyers law", like the alterations to the law of libel undertaken by Mr. Lever,³ may conveniently start as a private member's Bill, since its important but somewhat technical nature may not give it a wide electoral appeal.

(c) *Legislation by Private Bill procedure.* Distinct from Government sponsored Bills, and private members' Bills, is "Private Bill Legislation";⁴ this consists of (i) "*Personal Bills*" such as those dealing with the divorce or naturalization on special grounds of particular individuals (these Bills must originate in the House of Lords) and (ii) "*Local Bills*" to promote public works or to give special powers to local or public utility corporations. Incidentally, many local acts of Parliament, such as the Manchester Housing Acts, have formed valuable

¹ *Parliament*, p. 110.

² A Bill promoted by a private member, after being formally introduced for "first reading" must either pass without the opposition of a single member, or must secure precedence for its second reading on a Friday when private bills are considered : this is because, in order to move the *second* reading of a bill, a member will have to be successful in the ballot which is held for the purpose: he must then secure majorities in the second and third readings in the Commons and in the House of Lords.

³ Now the Defamation Act, 1952.

⁴ See Jennings, op. cit. chap. xii, for a characteristically illuminating account of this.

precedents for later national legislation. The procedure on Private Bill legislation is rather special and has links with the earlier practice of petitioning. Elaborate provision is made for the advertisement of the Bill and for objections to be made at the Committee stage after the second reading in the Commons in what is very much like a court of inquiry, where counsel are heard for interested parties in "opposed Bills". This procedure is often extremely expensive; the cost of a local Bill to create a new county borough could amount to something in the order of £30,000 before the first world war.¹ The object of the elaborate semi-judicial procedure at the Committee stage is to enable opposition to be placated, so that, if possible, the Bill can pass speedily through the remaining stages of the legislative process.

III

The Importance of the Formalities of Legislation

(a) Subject to the Parliament Act, 1911 and 1949, restricting the powers of the House of Lords, any Bill, if it is to become an Act of Parliament, needs the assent of the three parts of the legislature, the Queen, the Lords Spiritual and Temporal and the Commons. Each House of Parliament may control and vary its form of assent and may adopt unusually expeditious methods of passage² without invalidating its own procedure, and subject to the Parliament Acts of 1911 and 1949, the assent of each House to amendments by the other must be communicated before the Royal Assent.³ May cites the *Cotton Factories Regulation Bill*, 1829 and the *Schoolmasters' Widows Fund Scotland Bill*, 1843 which it was thought necessary to validate by new enactments because of a failure to convey certain amendments in the Bill to the Commons before the Royal Assent was given to the Bill.⁴

¹ Jennings, op. cit. p. 450.

² May, p. 570.

³ The Royal Assent, which is still given in Norman French, must be formally given: in 1546, because Henry VIII was dying, he was unable to assent to the Act of Attainder in respect of the Duke of Norfolk, who was thus spared: v. May, p. 577, he also instances cases where the Royal Assent was given by mistake, and required a further Act of Parliament to put matters right. The lack of a necessary assent will prevent a Bill from becoming a law.

⁴ May, p. 576.

(b) *The date of the Royal Assent will normally be the date when a Bill becomes law.* Since the *Acts of Parliament (commencement) Act, 1793*, the date of the Royal Assent, completing the passage of the Act, must be stated in the text; if the assent be not given the Bill never becomes an Act. A Bill will be operative from the date of the Royal Assent unless a special provision is contained in the Act giving a different date or dates for its commencement.

Before 1793 a Bill was deemed to have commenced at the beginning of the Parliamentary session in which it was introduced and the Sovereign's assent, when given, was deemed to relate back to that day, in much the same way as when a treaty is ratified in international law, it may relate back to the date of its signature of a plenipotentiary. English law has never had any difficulty in accepting retro-active legislation, and the Annual Finance Bill is put into operation to some extent before it becomes an Act, since the doctrine *Bowles v. Bank of England* [1913] 1 Ch. 57 was overruled by *The Provisional Collection of Taxes Act, 1913*. There is no legal objection in England to a Bill operating by resolution of the Committee of Ways and Means varying or renewing an existing tax before the date of the Royal Assent, to a new Finance Bill, if the *Provisional Collection of Taxes Act, 1913* authorizes it. Nor is there any objection to the assent by the Sovereign to a Bill which itself purports to operate retrospectively, though such Bills are disliked by the legal profession throughout the world and are expressly forbidden in some constitutions. But without the Royal Assent, we repeat, there is no Act. Our constitutional history shows that after James II dropped the Great Seal in the Thames, on the 11 December 1688, no Royal Assent was available until William and Mary accepted the Crown on 13 February 1689, as a result of the 1688 Revolution.

(c) Acts passed after 1850 are currently accepted for legal purposes and judicially noticed under s. 9 of the *Interpretation Act, 1889*, which provides that references to statutes refer to those printed in any revised editions "purporting to be printed by authority" and "in case of statutes not so included, and passed before the reign of King George the First, to the edition prepared under the direction of the Record Commission; and

in other cases to the copies of the statutes purporting to be printed by the Queen's Printer, or under the superintendance or authority of Her Majesty's Stationery Office."

Discrepant versions of statutes certainly exist. Indeed, even the official *translation* from the original Norman-French or Latin of old statutes, "printed by authority" in the "Statutes of the Realm", is often defective,¹ and when the translation is accurate even the *texts* of some old statutes "printed by authority" may be of doubtful authenticity,² some are frankly characterized by Plucknett as apocrypha.³ Ancient Statutes must still be consulted because English statutes do not fall into desuetude, they need a further statute to repeal them.⁴ "Lord Haw Haw" and Roger Casement were prosecuted under the *Treason Act* 1351, and in *Hemmings v. Stoke Poges Golf Club* [1920] 1 K.B. 720, the Statute of Forcible Entries of 5 Ric. 2 St. 1, c. 7, 1381 was relied on. The problem of textual authenticity may still occur in litigation as well as in matters of historical scholarship. Many publicists, including Thomas More, Francis Bacon, and James the First, have inveighed against the danger of leaving obsolete legislation on the Statute Book, and much has in fact been done formally to repeal obsolete statutes by successive statute law revision committees during the last 150 years,⁵ but the legal historian and scholar will still have to

¹ Plucknett, p. 15. See Chapter ii of his *Statutes and their Interpretation in the Fourteenth Century* (Camb., 1922), which gives eight examples.

² *Ibid.* p. 13.

³ *Ibid.* p. 12.

⁴ *H.R.H. Prince Augustus v. A.G.* [1955] 3 All. E.R. 647.

⁵ Successive statute law revisions have tried to reduce the accumulated bulk of more than seven centuries of statute law. The *Statute Law Revision Act*, 1948 "for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary and for facilitating the publication of a Revised Edition of the Statutes and the citation of Statutes" contains, for example, a list running into 100 pages of repealed enactments, from Chapter 2 of the Statute of Merton (20 Henry III) "Widows may bequeath corn on their lands", to the Duchy of Cornwall Act 1860: all good historical material! The result of successive statute law revision Acts has been that it could be said in 1948 that "the whole of the living Statute law of Great Britain is now comprised in . . . 32 volumes". Lord Jowett has said:

"The publication of this, the third, edition of Statutes Revised, therefore, marks a stage of permanent importance because, by publishing all its volumes

consult the whole corpus of English law from the time of the Conquest. Many of our early laws are not Acts of Parliament by modern standards,¹ and their authority may sometimes be called in doubt even when their authenticity as documents cannot be questioned : if it can be shown that from the terms of an early "statute" the two Houses of Parliament and the king

simultaneously, we have secured a clean start for all future editions ; and I may tell you that already a matrix copy of the new edition is being kept up to date in the Statutory Publications Office, each Act as it is passed being worked into it, so that future editions can be brought out when required, at short notice."

(*Statute Law Revision and Consolidation: Address to the Holdsworth Club of Birmingham University Law Faculty*, p. 19.) There were further Statute Law Revision Acts in 1951 and 1953. I was asked recently, at an international conference, by an innocent foreign jurist, to furnish him with the English legislation on the matter of a man's duty to maintain his wife and family and any illegitimate children. The research to supply the answer took some days and finally resulted in a list of 37 Acts, beginning with the Poor Law Amendment Act, 1844, and ending with the Affiliation Orders Act, 1952 : i.e. Poor Law Amendment Act, 1844 (s. 5, up to words "and the clerk" and s. 8) ; Bastardy Act, 1845 (s. 6) ; Bastardy Laws Amendment Act, 1872 ; Summary Jurisdiction (Process) Act, 1881 ; Guardianship of Infants Act, 1886 ; Summary Jurisdiction (Married Women) Act, 1895 ; Licensing Act, 1902 ; Affiliation Orders Act, 1914 ; Criminal Justice Administration Act, 1914 (s. 40) ; Married Women (Maintenance) Act, 1920 ; Maintenance Orders (Facilities for Enforcement) Act, 1920 ; Guardianship of Infants Act, 1925 ; Summary Jurisdiction (Separation and Maintenance) Act, 1925 ; Adoption of Children Act, 1926 ; Marriage Act, 1929 (s. 2) ; Children and Young Persons Act, 1932 ; Children and Young Persons Act, 1933 ; The Money Payments (Justices Procedure) Act, 1935 ; Children and Young Persons (Scotland) Act, 1937 ; Matrimonial Causes Act, 1937 (s. 11) ; Family Allowances Act, 1945, amended by Family Allowances and National Insurance Act, 1952 ; Army Act ; Air Force Act, s. 144 A. and 145 ; Naval Discipline Act, s. 87 and 98 A ; National Assistance Act, 1948 ; Children Act, 1948 ; Married Women (Maintenance) Act, 1949 ; Justices of the Peace Act, 1949, s. 21 amended by Magistrates Court Act, 1952 ; Adoption of Children Act, 1949 ; Law Reform (Miscellaneous Provisions) Act, 1949 ; Adoption Act, 1950 ; Matrimonial Causes Act, 1950 ; Maintenance Orders Act, 1950 ; Guardianship and Maintenance of Infants Act, 1951 (s. 1 and 2) ; Magistrates Courts Act, 1952 ; Affiliation Orders Act, 1952 ; Visiting Forces Act, 1952 (s. 9).

See also : U.S.A. (Visiting Forces) Order, 1942, discussed in *R. v. Birkenhead J. J.* [1954], 1 A.E.R. 503, and now Visiting Forces Act, 1952 and S. I. 1954 No. 635, bringing that Act into operation.

N.B.—I am indebted to my colleague Peter Bromley, M.A., Lecturer in Law, for his valuable assistance in preparing this list of current legislation.

¹ Plucknett, *Concise History of the Common Law*, 4th edn. (1947), p. 309.

did not pass the legislation, it will not strictly be an Act of Parliament in the modern sense but may well need to be justified either as a Royal Ordinance, or as a customary rule.¹ Constitutional custom has evolved slowly.

(d) It is customary to prepare two copies of every Act of Parliament, on vellum. These are the originals, one is placed in the House of Lords, the other in the Record Office and in the event of a discrepancy the former will prevail over any other version.

Now there is a dictum of Lord Campbell which is often cited that would make it appear that the courts are conclusively bound by the vellum record of legislation resulting from proceedings in Parliament and kept in the House of Lords.²

It is as follows :

" All that a Court of Justice can do is to look to the Parliamentary Roll : if from that it appears that a Bill has passed both Houses and received the Royal Assent, no Court of Justice can inquire into the *mode* in which it was introduced into Parliament, *nor into what was done previous to its introduction, or what passed in Parliament* [our italics] during its progress in its various stages through both Houses. . . ." *Edinburgh Railway v. Wauchope* [1842], 8 Cl. & Fin. at p. 725.

This case concerned an attempt by a person who considered the withdrawal of his opposition to a private Bill had been improperly obtained, and he alleged that the Act was invalid. He did not, however, raise an objection to the formal manner in which each of the Houses of Parliament had assented to the legislation, the legislation in question was the result of the customary expression of the will of each House and of the Crown. There was no allegation that the custom of the constitution which required the assent of each House and the sovereign had not been obtained. It was only suggested that the consent had been obtained by wrongly suppressing the opposition of a private person interested in the Bill.

The dictum probably went further than the decision required.

It seems clear to us that the customary forms of legislation must in fact be observed if a statute is to result, and the vellum might not be conclusive in all cases. If, therefore, to take a far-fetched example, a malevolent individual were to forge a statute

¹ *v. Allen, Law in the Making* (1951), 5th edn. p. 418.

² Maitland, *Constitutional History* (1908), p. 382.

and insert it in the Parliamentary vellum, the apparent "Statute" would, in our view, be a nullity and incapable of conferring any right. In the event of an allegation of nullity because of the forgery being made in a court, the proper course, it would seem to be for the court to adjourn the matter until the allegation of forgery could be investigated by Parliament, and no doubt Parliament would regard the matter, if proved, as a breach of privilege: the court could *then* deal with any criminal law aspect of the forgery and would be justified in declaring the *apparent* statute to be no statute at all and not to confer any rights.¹

Parliament could, we suggest, only regard it as a friendly act of the Court to draw its attention to an allegation which, if proved, might amount to an impropriety probably amounting to a breach of Parliamentary custom and privilege.

(e) *Can each House cut down the three readings?* The customary rights of each part of the legislative must be recognized if legislature is to be created. Provided the assent of each part of the legislature has been obtained it seems to us that the formal three readings in each House might be dispensed with by each House, and we think perhaps that Mr. Latham goes too far when he says :

The King, Lords and Commons, meeting in a single joint assembly, and voting by majority, or even unanimously, could not enact a statute.²

But the three parts of the legislature must give their clear assent even if they suspend their usual standing orders to do so.

(f) *Acts of Parliament, duly passed by the three components of the U.K. Parliament, will not, however, now be set aside as unconstitutional, or ULTRA VIRES by reason of their content*³ by

¹ Maitland, op. cit. p. 382, says : "Perhaps a court of law would allow a litigant to prove that as a matter of fact this document had never received the consent of the King, Lords and Commons : but I am not sure of this."

² T. E. Latham, *The Law and the Commonwealth* (Oxford, 1949), p. 523, note 3.

³ See Allen, *Law in the Making*, 5th edn. (Oxford, 1951), for a discussion of the refusal of seventeenth-century judges to enforce statutes deemed to be contrary to the law of God or to right reason : modern judges are more careful, or more timid, than their predecessors in this respect, according to one's view of the matter, but they still take the oath "to do right by all manner of men".

our courts ; in this respect they are unlike the legislation of some Dominions and Colonies, and that of the states of the U.S.A., and unlike British delegated legislation, all of which can be declared *ultra vires*.

The same inhibition would not apply in a court applying international law, such as the International Court of Justice at the Hague, an International Arbitral Tribunal or a Prize Court¹ which can declare legislation to be contrary to international law. So that an Act of Parliament which violates international law may bind the national courts in the U.K. but it will not prevent an international court from declaring it to be *ultra vires* so far as international law is concerned ; nor will it prevent a foreign state from making a diplomatic protest, or reclamation, or even from carrying out measures of retortion or reprisals by way of counter measure. For example, in *Mortensen v. Peters* [1906], 14 S.L.R. 227, 43 S.L.R. 872 a Scottish court fined a Norwegian trawlerman for fishing within the Moray Firth by virtue of s. 6 of the *Herring Fishery (Scotland) Act*, 1889, but when Norwegian diplomatic representations were made to point out that the Act, though binding upon the Scottish court, exceeded the three miles limits of territorial waters allowed by the custom of international law, the fine was remitted by the Crown and the law was amended by the *Trawling in Prohibited Areas Prevention Act*, 1909.

(g) Some British legislation today, like the *Exchange Control Act*, 1947, s. 1, applies to all residents in the U.K., of whatever nationality, and purports to forbid certain contracts they may make abroad. Such legislation is, however, only effective in so far as anyone violating it can be reached, either in respect of his person or his property, in the U.K. It is essentially penal or persuasive. It does not change the law relating to transactions completed abroad if the foreign state chooses to disregard it. Each state is sovereign only in its own territory and its territory, in the event of a clash of views, is settled by international law as the recent cases before the International Court of Justice at the Hague show. I refer to the decision that the islands of *Minquier*

¹ *The Zamora* [1916], 2 A.C. 77.

and *Ecrehous*¹ were British and not French, and to the recent decision in the *Norwegian Fisheries Case*,² settling the territorial waters of Norway. One could also cite among many others the decision of the Permanent Court of International Justice³ in the dispute between *Norway and Denmark* which settled the title to *Eastern Greenland* in favour of Denmark. Thus it is international law, not national law, which supplies the rules for settling the extent of a sovereign's territory, and the word "United Kingdom" in a statute or a treaty will mean what is comprised in that term for the time being, a variable quantity.

A law made by the Parliament of a territorial sovereign is directed to the administrators, lawyers and judges in the sovereign's territory. It is not, and cannot in the nature of things, be addressed to the whole world. It may threaten or reward individuals for what they have done or might do *outside the Sovereign's territory*, but it cannot require other sovereigns, in the absence of a binding treaty or custom or international law, to pay regard to its precepts.

Finally, Statute law, though formally valid, is not law in any absolute sense. Its operation is limited in time and space—it has a definite commencement and ends when it is repealed, and it does not reach out to the whole world.

IV

The Intelligibility of Laws

If a law that innovates is to be observed, it must be known, and to be known it must be intelligible. To be intelligible a law must be couched in language that is understandable by those to whom it is addressed. It is now recognized that the task of drafting of a Bill is a skilled job that calls for expert training, since the machinery of the law will be needed to put the statute into effect and to integrate it in the system. Jennings tells us that "all Government Bills except Scottish Bills and certain annual Bills which do not vary substantially in form, are drafted in the Office of Parliamentary Counsel to the Treasury".⁴ The

¹ I.C.J. Report, 1953, p. 47.

³ P.C.I.J. Ser. A/B No. 53, p. 23.

² Ibid. 1954, p. 116.

⁴ Op cit. p. 221.

advantage of this is a certain co-ordination in form and style. Bills are not usually drafted until the Government has consulted appropriate interests : in some cases this is done informally, in others by circular, and in other cases after committees or commissions have been set up to deal with a subject ripe for legislation by hearing evidence of interested parties and reporting on it. The form of a Bill to be presented to Parliament will be established as a result of consultation between the Government Departments concerned and the Parliamentary Counsel acting as draftsman. When the Bill is ready it will be subject to the normal procedure of Parliamentary debate ; the intelligibility of a Bill will depend not only upon the skill with which the Bill is drafted but also upon the dexterity with which it is steered through Parliament ; for if amendments are carefully incorporated the Bill may be improved, if they are hastily accepted they may play havoc with the unity and clarity of the Bill, and so with the final statute. Indeed, it is not impossible in a long statute of some 200 pages, to find a contradiction between an earlier and a later section, and between an earlier and a later enactment. Artificial rules exist to resolve these contradictions ; a document must be read as a whole and a later statement will prevail over an earlier one and so on ; but the fact remains that a long and controversial statute is open to this sort of danger : it is not easy for a busy man to carry 200 pages of a statute like the Town and Country Planning Act, 1947, in his head, and ambiguous amendments may sometimes be accepted for the sake of getting the Bill through Parliament.

Ideally, the language of a statute must be clear and appropriate to the circumstances. Scientists must be spoken to in scientific terms, commercial men in commercial terms, and the man in the street in plain English. Some of the best drafted statutes are those which have been drafted by one expert lawyer familiar with his material, addressed to legal experts, and dealing with a field in which the law is being codified without any major revision or political battle. Such statutes are Sir Malcolm Chalmers' *Bills of Exchange Act*, 1882 and *Sale of Goods Act*, 1893, and Sir Frederick Pollock's *Partnership Act*, 1890. Such Acts are founded upon Bills that have not been subject to a

constant stream of amendments as a result of pressure in the lobbies,¹ and the purpose of the framers remains expressed therein without serious modification.

Some statutes, notably those of an amending character, are clothed in obscurity, when they legislate by reference. Legislation by reference may save Parliamentary time, it may even render opposition more difficult,² but it certainly does not render the law intelligible. To give a single example, the Parliament Act, 1949, passed to amend the Parliament Act, 1911, states :

" 1. The Parliament Act, 1911, shall have effect, and shall be deemed to have had effect, from the beginning of the session in which the Bill for this Act originated (save as regards that Bill itself), as if—

- (a) there had been substituted in subsections (1) and (4) of section two thereof, for the words 'in three successive sessions', 'for the third time', 'in the third of those sessions', 'in the third session', and 'in the second or third session' respectively, the words 'in two successive sessions', 'for the second time', 'in the second of those sessions', 'in the second session', and 'in the second session' respectively; and
- (b) there had been substituted in subsection (1) of the said section two, for the words 'two years have elapsed' the words 'one year has elapsed': Provided that"

How much clearer it could have been if both Acts could have been consolidated as were, for example, the *Diplomatic Privileges (Extension) Acts*, 1944 to 1950 by the *International Organisations (Immunities and Privileges) Act*, 1950.

One factor which makes for precision in drafting may itself be a snare for the unwary : i.e. the practice whereby many statutes contain their own definitions *for the purposes of those statutes*. It does not by any means follow that a definition given of a word for the purposes of one Act, will be used again in the same sense in another Act. A glance at the six volumes of Halsbury's *Words and Phrases* reveals many discrepancies : the meaning of a word is too often only related to the legislation using it.

The English method of drafting statutes is to set out in great

¹ Jennings, *Parliament*, p. 227.

² Allen, *Law in the Making*, 5th edn., p. 461.

detail what the draftsman thinks the Act will cover so as to leave little or no discretion to the judge. It is a curious contrast to codified systems, like the French Civil Code, where the law is enunciated in the most general terms so that, for example, the whole of the law of tort is contained in some five articles ; in such a codified system the judge is left with a considerable amount of discretion in his interpretation. The main object of framers of English statutes seems to be to draft them in such detail as to leave no discretion to the judge. The more general the precept, the more discretion will be available : the more detailed the precept the less discretion. It may be that the English judges' habit of interpreting deeds and wills as literally as possible, has been carried over into the interpretation of statutes, and early statutes are certainly similar in form to charters and similar documents. Whatever the reason, judges have by this method of interpretation, compelled the creation of statutes of a most detailed kind : if so they are the unconscious authors of their own inconveniently straightened circumstances as interpreters. It may be, too, that the private law rules which exclude evidence of prior negotiations in the interpretation deed that has been formally drawn up and solemnly executed by the parties also explains the reluctance of English judges, at any rate since the decision in *Millar v. Taylor*, 4 Burr. 2303 [1769], to look at the *travaux préparatoires* to clear up an ambiguity. This rule is well established, but other rules equally well accepted till recently, like the well known "Coronation cases", have been advantageously over-ruled by the House of Lords in recent times. Certainly foreign and international tribunals habitually look at preliminary enquiries and debates to ascertain the meaning of a piece of legislation or a treaty which seems ambiguous. However, the practice has grown up recently whereby a treaty or an international convention on which a statute is based is printed in a full English text or translation in an appendix to the statute framed to carry it out, as for example in the Arbitration Act, 1950 : in this way a treaty or convention can be referred to in court even though it is part of the *travaux préparatoires* of Parliamentary legislation. By requiring international conventions adhered to by this country to be passed

into legislation intelligible to English or Scots lawyers,¹ our judges and bar are saved the difficulties which might occur if, as in the U.S.A., France and Holland, treaties drafted in unfamiliar terms, or even in a foreign tongue, became law when adhered to by the State. Here, however, English caution in rewording an international convention in a statute may, as Gutteridge has shown, lead to insular interpretations contrary to the intention of the convention² and to the views of foreign co-signatories.

The machinery of Parliament often creaks when it attempts to implement the increasing volume of international agreements on such matters as international trade and transport, but at least no one in England is in danger of confusing legislation with *law* in the general sense; in a codified system this does happen and *la législation* is often used to mean the whole law of a country.

¹ When a statute applies to Scotland the practice is to provide a glossary of equivalent Scottish terms so that the Act may be fully understood by Scots lawyers and integrated by them into their Roman-based legal system, e.g. the *Sale of Goods Act*, 1893. Different words in England and Scotland may be necessary to ensure that the intention of Parliament is interpreted in the same sense on each side of the Border. Lord Goddard, C.J., recently said :

"It is very desirable that with statutes of this nature the same interpretation should be given on either side of the Border. It would be very unfortunate to have, on a similar set of facts, a conviction in England and no conviction in Scotland or vice versa. In this class of case dealing with this class of subject-matter this court always tries to follow the decisions of the Scottish courts if they can, and I think that Scottish courts always pay the same respect to decisions in this country so that one may get uniformity, which is certainly very desirable. I do not mind saying that I think that, if the present case had come before me in 1936 before the decision in *McCowan v. Stewart*, 1936 S.C. (J.) 36, I should have been very much inclined to take the view which the justices took, but as the Court of Justiciary decided as they did, and as Parliament has obviously, as it seems to me, accepted that decision and for finance purposes has cleared up the matter by using the word 'additional' instead of 'alternative', I think that we must hold that the facts disclosed in the present case do not amount to an offence against section 26, and for those reasons, with some reluctance, I feel that this appeal must be allowed. It is a matter for the Ministry of Transport to consider whether an alteration of the law is desirable, and if so to ask Parliament for it, but I think that we ought to keep to the decision which I have just indicated." *Cording v. Halse* [1955], 1 Q.B., 63 at p. 70.

² *Comparative Law*, 2nd edn. (Cambridge, 1949), p. 106.

Our judges rightly insist that the first principles of the common law exist in our case-law and that legislation must, as far as possible, be integrated with those principles, rather than be deemed to replace them.

To sum up, the present method of drafting statutes with a great deal of detail is bound up on the one hand with the procedure of Parliament, which provides for a clause by clause debate which makes it tempting to legislate by references, and with the attitude of the judges who consult the *litera legis* of a statute rather than the preliminaries of the statute. Until Parliament is prepared further to cut down our volume of legislation and indeed to legislate in much less detail, and until it is prepared to give the judges much more freedom to interpret statutes, it is unlikely that the present cumbersome system will alter. It may well be that with the increasing complexities of legislation on scientific subjects the assistance of more and more specialists in Government departments will be essential in the preparation of any bill; the best Parliamentarian will always be he who can explain highly technical matters in simple language that will commend the assent of suitable Parliamentary majorities. Given the chance, a good draftsman could help the politician by formulating a bill that is intelligible enough to be debated with a full appreciation of the references involved, and yet without going into the great detail which the present system demands. The late Harold Laski in his dissenting note on the Report on Ministers' powers¹ suggested that every Act should contain either a long "Tudor" preamble or at least an explanatory paper. He said:

But it seems to me that there is a middle way. If statutes do not plainly avow their intention by their words, the desirable thing is, I submit, to attach to them an authoritative explanation of intention. This could be done in one of two ways: (1) as was so often the case in the Tudor period, by way of preamble to the statute itself. There would here be set out, as clearly as draftsmanship will permit, the end the statute has in view; or (2) by way of memorandum in explanation of the statute. It is well known that it has become increasingly the practice in modern legislation to issue to members of Parliament a memorandum in explanation of any complex legislation that is laid before them; a good example is the explanatory memorandum which accompanies the Children's Bill now under discussion by Parliament. The value of these memoranda is great; and they would, I suggest, be of real assistance to the judge in discovering the purpose the statute is intended to serve.²

¹ Cmd. 4060/1932.

² Ibid. p. 136.

But this useful suggestion has not been taken up, nor will it be until legislation becomes more general in its terms and judges are given more discretion in its interpretation.

The preparation of the "authoritative explanation of intention" would, we suggest, best be done by Parliament as an integral part of the statute. Constitutionally it is not open to a Minister of the Crown to interpret the meaning of an Act with authority. That is the business of the courts. All that a Minister can do is to circularize his department on what *he* thinks is the object of a statute: that is, of course, unless a statute gives a Minister power to make rules to implement a new statute by delegated legislation,¹ and an authoritative statement of intention would be valuable when such delegated legislation was prepared.

V

The Enforcement of Legislation

Written Laws are enforced when they are interpreted and applied by administrators, legal advisers and judges, to specific cases. They are in vigour, in potential action, whilst they remain unrepealed. The technique of reducing the potential to the actual is an essential part of government if a statute is not to be a dead letter.

Modern schemes of defence in war-time and of social services have led to a vast proliferation of legislation and of delegated legislation: just as, towards the end of the Second World War, printed weekly instructions to officers in the Navy (Admiralty Fleet Orders) alone often ran into more than 100 pages of close printed text. The result was that specialist officers learned the specialist rules affecting their jobs and ignored the rest. To some extent this is true nowadays of the mass of detailed subordinate legislation issued, not by, but under the authority of, Parliament. The trade unionist, the importer, the educational

¹ We cannot enter into the vast subject of delegated legislation in this paper. Suffice it to say that some order has now been put into this complex collection by the *Statutory Instruments Act*, 1946, and every piece of such delegated legislation is reviewed by select "Scrutiny" committee of the House of Commons set up in 1948.

administrator and other specialized social groups keep up to date with their branch of the law and often ignore the rest : the existence of a vast mass of legislation on detailed aspects of modern social life can, in general, be blissfully ignored by the general public until some crisis arises that brings the machine into operation.

A modern sociologist describing the military machine has said :

The power relationship exists between officers and soldiers not only at the moments when military drill is being performed and the officers determine the behaviour of the soldiers by certain pre-established words representing Commands, or when, during a war, the officers send the soldiers to certain death and are obeyed by them, but also during inactive periods, as long as the readiness to obey remains untouched. . . .

The situation can be summarized in the following way. The power phenomenon may exist as an active process or as a latent disposition. When a command is given by the dominators and acts of obedience are performed by the subjects, the phenomenon is in its active stage. If such a sequence of overt events is not repeated, we cannot yet speak of a power relationship. Only when repeated, perhaps many times, can the power relationship arise. Repetition creates in the consciousness of the subjects a disposition to obey and the corresponding disposition to command on the part of the dominators. Only under such conditions does a power relationship unite group-members.¹

Much modern statute law is not generally "repeated" by Parliament to the electorate in such a way that a direct power relationship is created between the king in Parliament and his subjects. Whenever a statute is not primarily addressed to the legal profession, or to the corpus of civil and local government servants, then a whole hierarchy of command may have to be set up. The comparative failure of the elaborate legislation scheme of the Town and Country Planning Act, 1947, may to some extent have been caused by the lack of adequate machinery to ensure the co-operation of those affected to secure a whole system of effective planning control, and compensation for "development-value". An Act of Parliament is no substitute for an enforceable chain of command when it is desired to create a "power relationship" affecting the vast majority of citizens.

During the recent war the extreme complexity of the legal arrangements to secure the orderly obedience to a scheme of

¹ Timasheff, *The Sociology of Law* (1939), p. 179.

wartime mobilization of resources showed the elaborate care needed to carry out new wartime legislation intended to create a direct power relationship between Government and people.

On 24 August 1939, just before the outbreak of war, Parliament passed the Emergency Powers (Defence) Act, 1939, to enable His Majesty by Order in Council :

To make such Regulations "as appear to be necessary or expedient for securing the public safety, the defence of the realm, the maintenance of public order and the efficient prosecution of any war in which His Majesty may be engaged, and for maintaining supplies and services essential to the life of the community," s. 1 (1).

On 22 May 1940, just before France fell, Parliament strengthened this Act, to meet the threat of invasion, by the Emergency Powers (Defence) Act, 1940.

The amended Act enabled His Majesty :

By Order in Council, "to make such defence regulations making provisions for requiring persons to place themselves, their services and their property at the disposal of His Majesty as appear to him necessary or expedient for securing the public safety, the defence of the Realm, the maintenance of public order or the efficient prosecution of any war . . . or for maintaining supplies or services essential to the life of the community," s. 1 (1).

This brought every person, and all the property in the country, under *potential* Government control. The problem was to actualize that control in the interests of the war effort.

Orders in Council were made under the authority of these statutes ; they were called Defence Regulations and formed a war-time code of emergency laws. The Defence Regulations often in turn authorized ministers to make Orders having the force of law : Defence Regulations 27 A and B, for example, permitted the Minister of Home Security to make various Orders to secure Fire Prevention Orders and a further delegation of Ministerial powers to Regional Commissioners enabled the Fire Prevention Duties to be imposed upon the occupants of particular buildings or upon the inhabitants of particular areas, so that they were under a legal duty to act as Fire Guards in relation to specific premises, and so that they could be prosecuted if they did not. Indeed in the end a complete system of part-time paid conscription was set up in the Fire Guard service. This was secured by combination of appeal to patriotism, enlightened

self-interest and to some very small extent by the threat of prosecution. When this social revolution had been carried out, the raids had already almost ceased !

To impose an obligation by legislation is not always effective in itself : when support for a policy, however reasonable, has to be obtained to secure widespread obedience the mere threat of a possible prosecution is not enough. It was not enough to say that Fire Watching must be done in buildings where more than thirty persons work : a suitable method of organizing the watch had to be provided by detailed rules so that the rights and duties of everyone affected could be clearly seen and appreciated.

Legislation can be a voice crying in the wilderness if it is purely exhortatory and carries only a slight possibility of willing acceptance, or of enforcement by prosecution. It is not enough to say, with Austin, that a rule imposed by a political superior to a political inferior carrying with it the slightest chance of incurring the slightest evil in case of disobedience, is a law. To be enforceable, much more than the mere threat of prosecution is needed : the subject must be shown *how* to comply with an obligation, and the necessary machinery must be provided for the creation of new social habits.

The more elaborate the social changes wrought by legislation, the more delicate will be the administrative machinery required to carry it out.²

¹ Fire Watching involved spending regular night watches in buildings or places of business in vulnerable areas ; men and women returned to these places and following a strict rota camped out there one night in six.

² Since the period of the enlightenment, a new type of legislation was added : rational legislation based upon general concepts. This new type first appeared in a metaphysical form : the legislation of the French Revolution and of the first half of the nineteenth century was in general based upon abstract theories and doctrines ("rights of men", liberty, equality and fraternity, "psychic coercion" in criminal law, *raison d'état*, et cetera). With the second half of the century a new form of rational legislation appeared : scientifically grounded legislation. A glance at the parliamentary papers of our own time reveals numerous statistical data, quotations from scientific authorities, studies in comparative legislation accompanying draft laws of major importance (civil and criminal codes, codes of social insurance, et cetera). "Expert legislative draftsmen are commonly attached to legislators". The idea of "social engineering" is gradually gaining the upper hand. Timasheff, *The Sociology of Law* (1939), pp. 288-9.

The essence of "social engineering" by legislation is not only that legislation be intelligible in form and known to the public, but that the means must be at hand for its enforcement if necessary by persons whose business it is to exhort, cajole and even threaten. This is the price paid for schemes of social improvement.

The mechanics of making laws effective is a complicated process today, when legislation tends to touch every branch of social life and often has international repercussions. The machinery of legislation must not be given credit for more than it can in fact accomplish; be on your guard when you hear such phrases as "Parliament is omnipotent", lest reverence for the expressed will of the legislature should lead to a superstitious exaggeration of its efficacy by the sanction of a prosecution.

In the heyday of legislative optimism the fact that the court would accept and apply statutes gave rise to the belief that legislation could *always* make effective law. In a formal sense the legislative could make *a* law, but whether the law would have any practical effect on the life of the nation depended on much more than the mere formal compliance with customary constitutional procedures: even today, when legislation can be popularized and explained as never before with the help of newspapers, broadcasting and television, complicated schemes of social changes can be effectively realized not solely by threat of prosecution but rather by the creation of special machinery to ensure good relations between legislators and the public.

Are our means of publicity for new laws adequate to secure their observance? Is the good work of H.M. Stationery Offices, now run on modern lines, enough? Perhaps not: but sound broadcasting and television can do much to popularize a legislative programme of reform before and after passage of a statute? The "14 day rule" may prevent broadcast and televised discussion from usurping the place of Parliamentary debate, but it does not prevent a series of programmes preparing the way for legislation on such matters as smoke-abatement: nor does it prevent a clear statement of the obligations resulting from new legislation such as the obligation to carry two reflectors at the back of a motor vehicle.

Can new legal rules and the social reason behind them be demonstrated by the new mass media without any danger of the announcer developing into the "Big Brother" of 1984? We think they can, if handled with discretion and tact. But badly handled broadcast and televised programmes may cause the public to resent the use of their time by the Government, and too didactic a tone may result in a revulsion of feeling. The publicity afforded to legislation has developed to an amazing extent since the "horse and buggy" days when the French Civil Code provided different dates for the operation of laws according to the distance of the place of passing from the *chef lieu* of promulgation.

Theoretically everyone is bound to know a law as soon as it is made in Parliament, said Thorpe, C. J. in *R. v. Bishop of Chichester*, Y.B. 39 Ed. I II 7.¹ Ignorance even of statute law is no defence: in a democracy, therefore, modern means of knowing a new law should be used to disseminate it to those it affects. Not to do so may be as dangerous, politically, as the resurrection of obsolete and forgotten statutes to serve some new purpose. In a democracy, to know a law is not only to be able to carry it out and to criticize it, but also to be able to change it.

The danger now is that ideas may be elevated one day to the height of legislation, the supreme expression of Parliament's will, and the next day dropped just as quickly. Lord Radcliffe has recently drawn our attention to the danger of regarding law as a mere party matter in these prescient words:

When the control of the law-making body must be entirely in the hands of one of two political parties, each of which, for the sake of survival, is forced to require an orthodoxy of political conduct and opinion from all its members; and when, in order to be elected at all, each party must devise for the electorate a programme of action calculated to appeal to the material interests of the greatest number; it becomes increasingly unlikely that any general belief will survive to teach us that the system of law by which we are governed bears any recognizable relation to those ideas of equity and wisdom which most men would wish to see imprinted on the fabric of society. This gloomy conclusion does not bear upon the policies of any one party. It is a criticism of a social theory to which the system itself subscribes.²

¹ J. C. Gray, *The Nature and Sources of Law* (N.Y., 1909), p. 160.

² *Law and the Democratic State. The Holdsworth Club of the Faculty of Law, University of Birmingham* (1955), pp. 8-9.

A mechanistic view of the social process of legislation is not enough. Too much legislation can lead to the anarchy of conflicting rules, to a loss of the sense of relevance and cohesion in a legal system. To quote Lord Radcliffe again :

But what does seem to me to have become pretty plain is that the popular democracies cannot go on for long in the way that they have been doing, in which legislation is not only regarded as being an expression of the popular will but is regarded as needing no other justification than that it is such an expression, and at the same time retain a system of law which enjoys the prestige and the intellectual content of what stood for Law in the older forms of their Society.¹

To be effective legislation must depend not only upon the power relationship between those in control of Parliament and of the mass media of information, but also upon the assent, and above all upon the reasoned assent of those to whom it is addressed, and it should only be addressed to those to whom the Sovereign is entitled to address it by the rules of international law.

¹ Op. cit. p. 9.

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seul vnd zu prach. do eschraek das volck gar seere.
Darnach fur der veint fur den tempel vnd fur seinē
weck das es alles volck sahe. Do sprachē sie zu da-
niel. Du boser man. wie hastu uns untern apgetot
zu prochē. Darumb mustu sterbē. Und sprachē zu
dem künig. Sets in in das hol zu den lewē die fleischē
in zu hāt. Aber wie wollē dich nýmer zu künig ha-
ben. Do was dem künig gar leit. darumb das er in
gesichter het vnd erbeit dar wider pilz zu nacht. Do
wollē sie sein nicht geraten vnd zwunge den künig
vnd viln an in. Do sprach er zu daniel dey got wirt
dich erloschē. Nach dem laszē sie in unter die lewen.
die warn ym unterthā als got wolt wan̄ er was ey
heiliger man. Also lag er drei tag unter den lewen.
Do sandt ym got ein engel zu trost. Der engel vant
abatukl auff dem uelde der trug ein hafen mit fleisch
vnd lisch vnd prot das wolt er sein schnecken präge

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